

NO. 54

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

THURSDAY, APRIL 30, 2026
(STATEWIDE SESSION)

Thursday, April 30, 2026
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Jeff Lingerfelt as follows:

Our thought for today is from Psalm 33:16-17: “The king is not saved by a mighty army; A warrior is not delivered by great strength. A horse is a false hope for victory; Nor does it deliver anyone by its great strength.”

Let us pray: O Lord, You are our Omnipotent Father, You and You alone provide deliverance. By Your divine providence You orchestrate all the affairs of mankind, so that You receive all the praise and glory. No King, no army, no equipment, or strength can deliver and grant success. However, Your strength, Your right hand and Your arm and the light of Your presence, favors us this day to grant success to the tasks before us. Thank you! For the Lord your God goes with you to fight for you against your enemies, to give you the victory.” Many good things seek our attention on this day but help us to seek what is best for this HOUSE as we strive to represent those entrusted to our care. We govern under Your stewardship—accountable to you alone. Therefore, may we be steadfast, immovable, always abounding in the work of the Lord, knowing that in the Lord your labor is not in vain. Grant favor as we look to You the Most High God who rules over the realm of mankind. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER *PRO TEMPORE*.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

MOTION ADOPTED

Rep. CASKEY moved that when the House adjourns, it adjourn in memory of Darrell Hanshaw, which was agreed to.

In Memory of Darrell Wade Hanshaw

Representative Micah Caskey requests to close Session in memory of Darrell Wade Hanshaw, of West Columbia, South Carolina, who

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passed away on April 8, 2026, leaving behind a legacy of love, strength, and cherished memories.

He was the devoted husband to his wife, Kramer, who is the Receptionist for the South Carolina House of Representatives. He was a loving father to Parker, Copeland, and Amelia.

Darrell was also well known in the community as the founder of D's Wings, which he established in 1987 in Parkland Plaza in Cayce.

After stepping away from D's in 2016, Darrell established other restaurant ventures and partnerships and worked several other jobs. Darrell's love and the memories he created will live on in those who knew and loved him.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Marsha Miller Isaac Wilson.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Darrell Hanshaw.

SPEAKER IN CHAIR

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, April 29, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 337:

S. 337 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROVIDE FOR A DAILY LIMIT OF SEVENTY-FIVE BLUE CATFISH IN STATE WATERWAYS OTHER THAN IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President

[HJ]

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Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, April 29

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 477:

S. 477 -- Senators Davis and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-210, RELATING TO THE DEFINITION OF A "SELF-ADMINISTERED HORMONAL CONTRACEPTIVE" IN THE PHARMACY PRACTICE ACT, SO AS TO REVISE THE DEFINITION; BY AMENDING SECTION 40-43-230, RELATING TO PHARMACISTS PERMITTED TO DISPENSE SELF-ADMINISTERED HORMONAL CONTRACEPTIVES IN CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE SUCH DISPENSATIONS MAY BE MADE PURSUANT TO CERTAIN WRITTEN JOINT PROTOCOLS; AND BY AMENDING SECTION 40-43-240, RELATING TO WRITTEN JOINT PROTOCOLS BY THE BOARD OF MEDICAL EXAMINERS AND THE BOARD OF PHARMACY TO AUTHORIZE PHARMACISTS TO DISPENSE SELF-ADMINISTERED HORMONAL CONTRACEPTIVES WITHOUT PATIENT-SPECIFIC WRITTEN ORDERS, SO AS TO INSTEAD PROVIDE THE DISPENSATIONS MAY BE MADE UNDER STANDING ORDERS OR WITHOUT STANDING ORDERS WHEN DISPENSED OR ADMINISTERED PURSUANT TO CERTAIN WRITTEN JOINT PROTOCOLS.

Very respectfully,

President

Received as information.

H. 3924--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Wednesday, April 29

Mr. Speaker and Members of the House:

[HJ]

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The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3924:

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M. M. Smith, Pedalino, C. Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B. J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

Very respectfully,
President

On motion of Rep. W. NEWTON, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. W. NEWTON, JORDAN and WETMORE to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

REPORTS OF STANDING COMMITTEES

Rep. BANNISTER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

S. 238 -- Senators Alexander, Peeler, Massey and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED

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BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION; AND TO PROVIDE FOR THE TOLLING OF THE ONE-HUNDRED-TWENTY-DAY PERIOD THAT THE GENERAL ASSEMBLY HAS TO REVIEW STATE REGULATIONS.

Ordered for consideration tomorrow.

Rep. BANNISTER, from the Committee on Ways and Means, submitted a favorable report on:

S. 769 -- Senators Peeler, Alexander, Kimbrell, Verdin, Hembree, Turner and Bennett: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2026-2027 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2026-2027 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Rep. BANNISTER, from the Committee on Ways and Means, submitted a favorable report on:

S. 893 -- Senators Verdin and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-2-20, RELATING TO DEFINITIONS PERTAINING TO THE STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE BANK ACT OF 1988, SO AS TO DEFINE A PIPELINE FACILITY IN ACCORDANCE WITH 49 U.S.C. CHAPTER 601; BY AMENDING SECTION 44-2-40, RELATING TO THE SUPERB ACCOUNT AND SUPERB FINANCIAL RESPONSIBILITY FUND, SO AS TO ADJUST THE ALLOWABLE COSTS FOR SITE REHABILITATION BY THE FUND AND MAKE OTHER CONFORMING CHANGES; BY AMENDING SECTION 44-2-60, RELATING TO THE REGISTRATION OF UNDERGROUND STORAGE TANKS AND THE ENVIRONMENTAL IMPACT FEE, SO AS TO SET CERTAIN YEARS FOR THE RENEWAL FEE TO BE ADJUSTED; BY AMENDING SECTION 44-2-130, RELATING TO

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COMPENSATION FROM THE SUPERB ACCOUNT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 44-2-150, RELATING TO THE SUPERB ADVISORY COMMITTEE, SO AS TO DEFINE THE MEMBERSHIP OF THE SUPERB ADVISORY COMMITTEE.

Ordered for consideration tomorrow.

Rep. BANNISTER, from the Committee on Ways and Means, submitted a favorable report on:

S. 866 -- Senators Elliott and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "MUNICIPAL TAX RELIEF ACT" BY ADDING CHAPTER 41 TO TITLE 5 SO AS TO AUTHORIZE CERTAIN MUNICIPALITIES TO IMPOSE UP TO A ONE PERCENT SALES TAX TO PROVIDE PROPERTY TAX RELIEF TO OWNER-OCCUPIED HOMES AND TO FINANCE CERTAIN PROJECTS, TO SPECIFY THE MANNER IN WHICH THE TAX MUST BE IMPOSED AND ADMINISTERED AND THE MANNER IN WHICH THE PROPERTY TAX CREDIT IS CALCULATED.

Ordered for consideration tomorrow.

Rep. HERBKERSMAN, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

S. 857 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-1-20, RELATING TO INSURANCE LAW DEFINITIONS, SO AS TO DEFINE THE TERM "CONTINGENT DEFERRED ANNUITY"; BY AMENDING SECTION 38-69-220, RELATING TO EXCEPTIONS FROM OPERATION OF THE STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, SO AS TO ADD AN EXCEPTION FOR CERTAIN PROVISIONS OF THE STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, AND TO PROVIDE THE DEPARTMENT OF INSURANCE MAY PROMULGATE REGULATIONS FOR NONFORFEITURE BENEFITS FOR CONTINGENT DEFERRED ANNUITIES IN THE DISCRETION OF THE DIRECTOR OF THE DEPARTMENT IN CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 38-44-20, RELATING TO DEFINITIONS IN

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THE MANAGING GENERAL AGENTS ACT, SO AS TO MAKE A CONFORMING CHANGE.

Ordered for consideration tomorrow.

Rep. HERBKERSMAN, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

S. 619 -- Senators Gambrell and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-27-610, RELATING TO PRIORITY OF DISTRIBUTION FOR CLAIMS, SO AS TO ADD FUNDING AGREEMENTS.

Ordered for consideration tomorrow.

Rep. HERBKERSMAN, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

S. 780 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 37-23-20, RELATING TO HIGH-COST AND CONSUMER HOME LOANS DEFINITIONS, SO AS TO PROVIDE THAT THE CONVENTIONAL MORTGAGE RATE MEANS THE AVERAGE PRIME OFFER RATE.

Ordered for consideration tomorrow.

Rep. HERBKERSMAN, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

S. 787 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 37-3-110 SO AS TO DEFINE BRIDGE LOANS; AND BY AMENDING SECTION 37-3-402, RELATING TO BALLOON PAYMENTS, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO BRIDGE LOANS.

Ordered for consideration tomorrow.

Rep. HERBKERSMAN, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

S. 830 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-122, RELATING TO INSURERS AND AGENTS PROHIBITED

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FROM REFUSING TO ISSUE AUTOMOBILE INSURANCE POLICIES DUE TO CERTAIN FACTORS AND PROHIBITED FACTORS FOR PREMIUM RATES, SO AS TO PROVIDE THAT INSURERS CAN LIMIT THE ISSUANCE OF INSURANCE TO MEMBERS OF PARTICULAR NON-PROFIT MEMBER ORGANIZATIONS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5618 -- Rep. Erickson: A HOUSE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA STUDENT LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR ITS ANNUAL STATE HOUSE MEETING IN THE LAST QUARTER OF 2026 AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE, PROVIDED THE HOUSE IS NOT IN SESSION. THE CHAMBER MAY NOT BE USED IF THE HOUSE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, authorize the South Carolina Student Legislature to use the chamber of the South Carolina House of Representatives for its annual State House meeting in the last quarter of 2026 at a date and time to be determined by the Speaker of the House, provided the House is not in session. The chamber may not be used if the House is in session or the chamber is otherwise unavailable.

Be it further resolved that the Office of the Sergeant at Arms of the House of Representatives shall provide assistance and access as necessary for this meeting, in accordance with applicable procedures of the Rules of the House of Representatives.

Be it further resolved that no charges may be made for the South Carolina Student Legislature's use of the House chamber on the determined date.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5619 -- Reps. Erickson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Laster, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO COMMEND AND EXPRESS SINCERE GRATITUDE TO THE OUTSTANDING STUDENT INTERNS WHO HAVE DEDICATED THEIR TIME AND TALENTS TO SERVING THE STATE OF SOUTH CAROLINA THROUGH THE UNIVERSITY OF SOUTH CAROLINA DEPARTMENT OF POLITICAL SCIENCE'S UNDERGRADUATE INTERNSHIP PROGRAM.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5620 -- Reps. Govan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz,

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Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE ORANGEBURG COUNTY SCHOOL DISTRICT ON THE FINE ACHIEVEMENTS OF ITS CAREER/TECHNICAL STUDENTS AT THE 2025 SKILLSUSA CHAMPIONSHIPS AND TO WISH THE PARTICIPANTS AND THEIR INSTRUCTORS MUCH CONTINUED SUCCESS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5621 -- Reps. Wickensimer, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE THE GREENVILLE GARDEN CLUB UPON THE

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OCCASION OF ITS CENTENNIAL ANNIVERSARY AND TO WISH THE CLUB AND ITS MEMBERS MANY MORE YEARS OF CONTINUED SUCCESS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5622 -- Reps. G. M. Smith, Weeks, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR KENNEDI JETER FOR HER OUTSTANDING ADVOCACY AND DEDICATED SERVICE IN PROMOTING MENTAL HEALTH AWARENESS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1133 -- Senators Hutto, Young, Adams, Alexander, Allen, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Peeler, Rankin, Reichenbach, Rice, Sabb,

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Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams and Zell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 78 FROM THE BAMBERG COUNTY LINE TO THE AIKEN COUNTY LINE THE "LONNIE HOSEY PURPLE HEART HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1154 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HORACE MAXIE BURTON FOR AN EXCEPTIONAL MUSICAL CAREER SPANNING SIXTY-FIVE YEARS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

| | | |
|-------------|------------|----------|
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Beach |
| Bernstein | Bowers | Bradley |
| Brewer | Brittain | Burns |
| Bustos | Calhoon | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Cox |
| Cromer | Davis | Dillard |
| Duncan | Edgerton | Erickson |
| Ford | Forrest | Frank |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Gilliard |
| Gilreath | Govan | Grant |
| Guest | Haddon | Hager |
| Hardee | Hart | Hartnett |

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| | | |
|---------------|-----------------|-------------|
| Hayes | Henderson-Myers | Herbkersman |
| Hewitt | Hiott | Hixon |
| Holman | Hosey | Huff |
| J. L. Johnson | Jones | Jordan |
| Kilmartin | Kirby | Landing |
| Lastinger | Lawson | Ligon |
| Long | Lowe | Luck |
| Magnuson | McCabe | McCrary |
| McDaniel | McGinnis | C. Mitchell |
| D. Mitchell | T. Moore | Morgan |
| Moss | Neese | B. Newton |
| W. Newton | Oremus | Pace |
| Pope | Rankin | Reese |
| Rivers | Robbins | Rose |
| Sanders | Schuessler | Scott |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Teepie |
| Terribile | Vaughan | Weeks |
| Wetmore | White | Whitmire |
| Wickensimer | Williams | Willis |
| Wooten | Yow | |

Total Present--110

LEAVE OF ABSENCE

The SPEAKER granted Rep. SPANN-WILDER a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. GUFFEY a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. HARTZ a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. HARRIS a leave of absence for the day due to family medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. J. E. JOHNSON a leave of absence for the day due to family medical reasons.

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LEAVE OF ABSENCE

The SPEAKER granted Rep. WATERS a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. MARTIN a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. PEDALINO a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. CRAWFORD a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. POPE a temporary leave of absence.

SPECIAL PRESENTATION

Rep. WEEKS presented to the House the Ragin Preparatory Christian Academy "Rams" 1A SCISA Boys Basketball Championship Team.

SPECIAL PRESENTATION

Rep. MCCRAVY presented to the House Greenwood Christian School 3A Boys Basketball Championship Team.

SPECIAL PRESENTATION

Rep. DUNCAN presented to the House West-Oak High School AAA Wrestling State Championship Team.

ACTING SPEAKER HIOTT IN CHAIR

DOCTOR OF THE DAY

Announcement was made that Dr. Laine Way was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its

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prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

CO-SPONSOR(S) ADDED

Bill Number: H. 3197
Date: ADD:
04/30/26 M. M. SMITH

CO-SPONSOR(S) ADDED

Bill Number: H. 5013
Date: ADD:
04/30/26 WOOTEN

CO-SPONSOR(S) ADDED

Bill Number: H. 5122
Date: ADD:
04/30/26 GOVAN

CO-SPONSOR(S) ADDED

Bill Number: H. 5483
Date: ADD:
04/30/26 ATKINSON

H. 5573--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5573 -- Reps. Long, Chumley, Edgerton, Magnuson, Lawson and Moss: A BILL TO AMEND ACT 813 OF 1946, AS AMENDED, RELATING TO THE CREATION OF THE SPARTANBURG MEMORIAL AUDITORIUM COMMISSION SO AS TO CHANGE THE COMPOSITION OF THE COMMISSION.

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The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

| | | |
|-------------|---------------|-----------------|
| Anderson | Atkinson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Beach | Bernstein |
| Bowers | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Caskey | Chapman | Chumley |
| Clyburn | Cobb-Hunter | Collins |
| Cox | Cromer | Davis |
| Dillard | Duncan | Edgerton |
| Erickson | Ford | Forrest |
| Frank | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Gilliard | Gilreath | Govan |
| Grant | Guest | Haddon |
| Hager | Hardee | Hart |
| Hartnett | Hayes | Henderson-Myers |
| Herbkersman | Hewitt | Hiott |
| Hixon | Holman | Hosey |
| Huff | J. L. Johnson | Jones |
| Kilmartin | Kirby | Landing |
| Lastinger | Lawson | Ligon |
| Long | Lowe | Magnuson |
| McCabe | McCrary | McDaniel |
| McGinnis | C. Mitchell | D. Mitchell |
| T. Moore | Morgan | Moss |
| Neese | B. Newton | W. Newton |
| Oremus | Pace | Rankin |
| Reese | Robbins | Rose |
| Rutherford | Sanders | Schuessler |
| Scott | Sessions | M. M. Smith |
| Stavrinakis | Taylor | Teeple |
| Terribile | Vaughan | Weeks |
| Wetmore | White | Whitmire |
| Wickensimer | Williams | Willis |
| Wooten | Yow | |

Total--104

[HJ]

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Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

**H. 5573--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. LONG, with unanimous consent, it was ordered that H. 5573 be read the third time tomorrow.

RETURNED TO THE SENATE WITH AMENDMENTS

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 718 -- Senator Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 45-2-65 SO AS TO PROVIDE THE CONDITIONS UNDER WHICH AN OPERATOR OF ANY RECREATIONAL VEHICLE PARK MAY HAVE ANY TRANSIENT GUEST OF THE PARK REMOVED, AND TO PROVIDE GUIDELINES FOR REMOVAL OF THE GUEST.

S. 150 -- Senators Blackmon and Graham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA RENTAL KART AGE ACT"; BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A RENTAL KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT; AND BY AMENDING SECTION 41-18-40, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA AMUSEMENT PARK RIDES SAFETY CODE, SO AS TO MAKE CONFORMING CHANGES.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification:

[HJ]

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S. 715 -- Senators Sutton, Rice, Elliott and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-50, RELATING TO ORGANIZATIONS EXEMPT FROM REGISTRATION PROVISIONS, ALTERNATE FILINGS, AND FUNDRAISING ACTIVITIES, SO AS TO INCREASE THRESHOLDS FOR CHARITIES REQUESTING EXEMPTIONS; BY AMENDING SECTION 33-56-70, RELATING TO THE REQUIREMENT THAT CONTRACTS WITH PROFESSIONAL SOLICITORS MUST BE IN WRITING, FILING REQUIREMENTS, JOINT FINANCIAL REPORTS FOR EACH CAMPAIGN, AND PENALTIES FOR NONCOMPLIANCE, SO AS TO LIMIT FILING REQUIREMENTS TO COMMERCIAL CO-VENTURERS UNDER CERTAIN CONDITIONS; BY AMENDING SECTION 33-56-90, RELATING TO DISCLOSURES TO SOLICITED PARTIES, SO AS TO REQUIRE ANY ENTITY THAT SOLICITS FOR CHARITABLE ORGANIZATIONS TO DISCLOSE THE LEGAL NAME AND PURPOSE OF THE CHARITY FOR WHICH THEY ARE SOLICITING; BY AMENDING SECTION 33-56-110, RELATING TO THE REGISTRATION OF PROFESSIONAL SOLICITORS, FUNDRAISING COUNSEL, OR COMMERCIAL CO-VENTURERS, SO AS TO LIMIT REGISTRATION REQUIREMENTS FOR COMMERCIAL CO-VENTURERS SOLICITING MORE THAN TEN THOUSAND DOLLARS IN A SINGLE SOLICITATION CAMPAIGN; BY AMENDING SECTION 33-56-110, RELATING TO REGISTRATION OF PROFESSIONAL SOLICITORS, FUNDRAISING COUNSEL, OR COMMERCIAL CO-VENTURERS, SO AS TO PROVIDE THAT IF A COMMERCIAL CO-VENTURER INTENDING TO BE EXEMPT FROM REGISTRATION WITH THE SECRETARY OF STATE COLLECTS, EARNS, OR RECEIVES CHARITABLE CONTRIBUTIONS IN EXCESS OF TEN THOUSAND DOLLARS DURING A SOLICITATION CAMPAIGN, THEN THE COMMERCIAL CO-VENTURER SHALL REPORT TO THE SECRETARY OF STATE; AND BY AMENDING SECTION 33-56-120, RELATING TO PROHIBITED MISREPRESENTATIONS, SO AS TO PROHIBIT COMMERCIAL CO-VENTURERS FROM USING REGISTRATION WITH THE SECRETARY OF STATE AS AN ENDORSEMENT BY THE STATE.

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SENT TO THE SENATE

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 3371 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO ADMISSIONS TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY CERTAIN NONPROFIT BUSINESS LEAGUES AND CHAMBERS OF COMMERCE.

S. 851--DEBATE ADJOURNED

The following Bill was taken up:

S. 851 -- Senators Alexander, Young and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 34-3-900 SO AS TO DEFINE TERMS PERTAINING TO THE FINANCIAL EXPLOITATION OF AN ELIGIBLE ADULT AND TO OUTLINE A PROCEDURE FOR ESTABLISHING EMERGENCY CONTACTS FOR AN ELIGIBLE ADULT TO PROTECT THE ELIGIBLE ADULT FROM FINANCIAL EXPLOITATION.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

S. 196--DEBATE ADJOURNED

The following Bill was taken up:

S. 196 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 91 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS, EXEMPTIONS, AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE, PROVIDE EXEMPTIONS FOR EXAMINATION, REQUIRE CONTINUING EDUCATION, ESTABLISH A PROCESS FOR RENEWAL, SET STANDARDS OF CONDUCT FOR ADJUSTERS, AND TO PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE AND PENALTIES, AMONG OTHER THINGS; BY ADDING CHAPTER 92 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE AND

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PROVIDE EXEMPTIONS TO EXAMINATION, PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE, REQUIRE A BOND OR LETTER OF CREDIT, REQUIRE CONTINUING EDUCATION, ALLOW FOR FEES, AND SET STANDARDS OF CONDUCT FOR PUBLIC ADJUSTERS, AMONG OTHER THINGS; TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION; AND BY REPEALING CHAPTERS 47 AND 48 OF TITLE 38.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

S. 697--DEBATE ADJOURNED

The following Bill was taken up:

S. 697 -- Senator Gambrell: A BILL TO TRANSFER THE SOUTH CAROLINA 211 NETWORK TO THE DEPARTMENT OF CONSUMER AFFAIRS; TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 37-6-515 SO AS TO CREATE THE SOUTH CAROLINA 211 NETWORK WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY AMENDING SECTION 1-11-770, RELATING TO THE SOUTH CAROLINA 211 NETWORK, SO AS TO MAKE CONFORMING CHANGES.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

S. 325--DEBATE ADJOURNED

The following Bill was taken up:

S. 325 -- Senators Massey, Alexander, Walker and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF CONSUMER AFFAIRS TO THE DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY ADDING SECTION 1-30-145 SO AS TO PROVIDE FOR THE TRANSITION OF THE DEPARTMENT OF CONSUMER AFFAIRS TO THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY AMENDING SECTION 37-6-103, RELATING TO THE DEFINITION OF "ADMINISTRATOR," SO AS TO PROVIDE THAT THE

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ADMINISTRATOR IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTIONS 37-6-104(6), 37-6-117(I), 37-6-501 THROUGH 510, 37-6-602, AND 37-6-604(B), ALL RELATING TO FUNCTIONS AND DUTIES OF THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION ON CONSUMER AFFAIRS TO BE REPLACED WITH AN ADMINISTRATOR AS THE HEAD OF THE DEPARTMENT.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

S. 163--DEBATE ADJOURNED

The following Bill was taken up:

S. 163 -- Senators Verdin and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 47 TO TITLE 34 SO AS TO PROHIBIT A GOVERNING AUTHORITY FROM ACCEPTING OR REQUIRING PAYMENT USING CENTRAL BANK DIGITAL CURRENCY OR PARTICIPATING IN A TEST OF CENTRAL BANK DIGITAL CURRENCY; TO PERMIT INDIVIDUALS OR BUSINESSES USING DIGITAL CURRENCY FOR TRANSACTIONS; TO PROVIDE THAT DIGITAL ASSETS MAY NOT BE SINGLED OUT FOR DISPARATE TAX TREATMENT; TO PROVIDE THAT DIGITAL CURRENCY TRANSACTION MAY BE TAXED IF THE TAXATION IS THE SAME AS IF THE TRANSACTION USED UNITED STATES LEGAL TENDER; TO PROVIDE THAT DIGITAL CURRENCY OPERATIONS MAY BE NOT BE SUBJECTED TO DISPARATE ZONING TREATMENT; TO PROVIDE THAT DIGITAL ASSET MINING BUSINESS OPERATIONS SHALL NOT PLACE ANY ADDITIONAL STRESS ON THE ELECTRICAL GRID FOR WHICH THEY ARE CONNECTED AND TO PROVIDE THAT DIGITAL MINING BUSINESSES MUST PROVIDE CERTAIN INFORMATION TO THE PUBLIC SERVICE COMMISSION UPON REQUEST; TO PROVIDE THAT THOSE ENGAGED IN DIGITAL MINING OPERATIONS DO NOT HAVE TO OBTAIN CERTAIN LICENSES AND THAT THOSE WHO PROVIDE CERTAIN SERVICES RELATED TO DIGITAL MINING OR STAKING ARE NOT OFFERING A SECURITY; TO PROVIDE THAT THE ATTORNEY GENERAL CAN PROSECUTE AN INDIVIDUAL WHO OR BUSINESS THAT FRAUDULENTLY CLAIM TO BE

[HJ]

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OFFERING DIGITAL ASSET MINING AS SERVICE OR STAKING AS A SERVICE; AND TO DEFINE NECESSARY TERMS.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

H. 5488--DEBATE ADJOURNED

The following Bill was taken up:

H. 5488 -- Reps. B. Newton and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-65-20, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO SPECIFY QUALIFYING REQUIREMENTS FOR CERTAIN REHABILITATION EXPENSES.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

H. 5122--DEBATE ADJOURNED

The following Bill was taken up:

H. 5122 -- Reps. B. Newton, Bannister, Herbkersman, Yow, C. Mitchell, Rose, Cobb-Hunter, Lawson, Brewer, Kirby, Ballentine, Rutherford, Hiott, Gagnon, Guest, M. M. Smith, Howard, Pope, Grant, Anderson, Schuessler, G. M. Smith, Caskey, Davis and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 31 TO CHAPTER 9, TITLE 58 SO AS TO PERMIT CERTAIN ITEMS SOLD TO OR USED BY INTERNET ACCESS SERVICE PROVIDERS AND COMMUNICATIONS SERVICE PROVIDERS TO BE EXEMPT FROM SALES TAX.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

S. 11--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 11 -- Senators Jackson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION

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8-11-150(A), RELATING TO PAID PARENTAL LEAVE, SO AS TO AMEND THE DEFINITION OF "ELIGIBLE STATE EMPLOYEE."

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 11 (LC-11.SA0004H):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 8-11-150 of the S.C. Code is amended to read:

Section 8-11-150. (A) For the purposes of this section:

(1) "Child" means a newborn biological child or foster of a child in state custody and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

(2) "Eligible state employee" means ~~an employee occupying any percentage of a full-time equivalent position~~ any person employed by any department, institution, commission, board, or any other unit of government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported by and under the control of the State who occupies a fulltime equivalent, temporary grant or time limited position.

(3) "Paid parental leave" means ~~six~~twelve weeks of paid leave at one hundred percent of the eligible state employee's base pay or ~~two~~four weeks of paid leave at one hundred percent of the eligible state employee's base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) "Qualifying event" means the birth of a newborn biological child to an eligible state employee or after a co-parent's birth of a newborn child or fostering a child in state custody.

(5) "Stillbirth" has the same meaning as defined in Section 44-63-55.

(B) Eligible state employees who are employed by this State, its departments, agencies, or institutions and who give birth or stillbirth are entitled to receive ~~six~~twelve weeks of paid parental leave. Other eligible state employees who do not give birth are entitled to receive ~~two~~four weeks of paid parental leave. An employee's paid parental leave is based on an employee's average workday.

(C) Paid parental leave usage includes the following:

(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement. An eligible state employee shall receive no

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more than one occurrence of ~~six~~twelve or ~~two~~four weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs. However, nothing in this item prohibits a foster parent from requesting and receiving approval for parental leave in nonconsecutive one-week time periods.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively, except that foster parents may request and receive approval for parental leave in nonconsecutive one-week time periods.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

(6) Paid parental leave must run concurrently with leave taken pursuant to the Family and Medical Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. However, an employer may require that an employee use paid parental leave before using annual leave if the employee's leave is taken pursuant to the Family and Medical Leave Act. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section.

SECTION 2. Section 8-11-155 of the S.C. Code is amended to read:

Section 8-11-155. (A) For the purposes of this section:

(1) "Child" means a child initially legally placed for adoption and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

(2) "Eligible state employee" means ~~an employee occupying any percentage of a full-time equivalent position~~any person employed by any department, institution, commission, board, or any other unit of

government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported by and under the control of the State who occupies a position eligible to earn annual leave.

(3) “Paid parental leave” means ~~six~~twelve weeks of paid leave at one hundred percent of the eligible state employee’s ~~base~~-pay or ~~two~~four weeks of paid leave at one hundred percent of the eligible state employee’s ~~base~~-pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) “Qualifying event” means the initial legal placement of a child by adoption.

(B) Eligible state employees, who are employed by this State, its departments, agencies, or institutions and are primarily responsible for furnishing the care and nurture of the child, are entitled to ~~six~~twelve weeks of paid parental leave upon the occurrence of a qualifying event. Eligible state employees, who are employed by this State, its departments, agencies, or institutions who are not primarily responsible for furnishing the care and nurture of the child, are entitled to ~~two~~four weeks of paid parental leave upon the occurrence of a qualifying event. An employee’s paid parental leave is based on an employee’s average workday.

(C) Paid parental leave usage includes the following:

(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of initial legal placement. An eligible state employee shall receive no more than one occurrence of ~~six~~twelve or ~~two~~four weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

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(6) Paid parental leave must run concurrently with leave taken pursuant to the Family and Medical Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. However, an employer may require that an employee use paid parental leave before using annual leave if the employee's leave is taken pursuant to the Family and Medical Leave Act. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section.

SECTION 3. This act takes effect October 1, 2026, and applies to qualifying events thereon or thereafter..

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Reps. HAYES, MAGNUSON, EDGERTON, FRANK, MOSS, HUFF, BEACH, HIXON, WHITE, KILMARTIN, GILREATH, TERRIBLE, DUNCAN and MORGAN requested debate on the Bill.

**H. 5488--RECONSIDERED AND ORDERED TO THIRD
READING**

Rep. B. NEWTON moved to reconsider the vote whereby debate was adjourned on the following Bill, which was agreed to:

H. 5488 -- Reps. B. Newton and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-65-20, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO SPECIFY QUALIFYING REQUIREMENTS FOR CERTAIN REHABILITATION EXPENSES.

Rep. LONG explained the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 89; Nays 13

Those who voted in the affirmative are:

| | | |
|-----------------|-------------|---------------|
| Anderson | Atkinson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Bernstein | Bowers |
| Bradley | Brewer | Burns |
| Bustos | Calhoon | Caskey |
| Chapman | Clyburn | Cobb-Hunter |
| Collins | Cox | Davis |
| Dillard | Duncan | Erickson |
| Ford | Forrest | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliam | Govan | Grant |
| Guest | Haddon | Hager |
| Hardee | Hartnett | Hayes |
| Henderson-Myers | Herbkersman | Hewitt |
| Hiott | Hixon | Holman |
| Hosey | Huff | J. L. Johnson |
| Jones | Jordan | Kirby |
| Landing | Lastinger | Lawson |
| Ligon | Long | McCrary |
| McDaniel | McGinnis | C. Mitchell |
| T. Moore | Moss | Neese |
| B. Newton | W. Newton | Oremus |
| Reese | Rivers | Robbins |
| Rose | Rutherford | Sanders |
| Schuessler | Scott | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Teeple | Vaughan |
| Weeks | Wetmore | Whitmire |
| Wickensimer | Williams | Willis |
| Wooten | Yow | |

Total--89

Those who voted in the negative are:

| | | |
|----------|---------|----------|
| Beach | Chumley | Cromer |
| Edgerton | Frank | Gilreath |

[HJ]

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| | | |
|-----------|----------|----------|
| Kilmartin | Magnuson | McCabe |
| Morgan | Pace | Terrible |
| White | | |

Total--13

So, the Bill was read the second time and ordered to third reading.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

RECURRENCE TO THE MORNING HOUR

Rep. B. NEWTON moved that the House recur to the morning hour, which was agreed to.

S. 851--DEBATE ADJOURNED

The following Bill was taken up:

S. 851 -- Senators Alexander, Young and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 34-3-900 SO AS TO DEFINE TERMS PERTAINING TO THE FINANCIAL EXPLOITATION OF AN ELIGIBLE ADULT AND TO OUTLINE A PROCEDURE FOR ESTABLISHING EMERGENCY CONTACTS FOR AN ELIGIBLE ADULT TO PROTECT THE ELIGIBLE ADULT FROM FINANCIAL EXPLOITATION.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 196--DEBATE ADJOURNED

The following Bill was taken up:

S. 196 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 91 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS, EXEMPTIONS, AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE, PROVIDE EXEMPTIONS FOR EXAMINATION, REQUIRE CONTINUING EDUCATION, ESTABLISH A PROCESS FOR RENEWAL, SET STANDARDS OF CONDUCT FOR ADJUSTERS, AND TO

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PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE AND PENALTIES, AMONG OTHER THINGS; BY ADDING CHAPTER 92 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE AND PROVIDE EXEMPTIONS TO EXAMINATION, PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE, REQUIRE A BOND OR LETTER OF CREDIT, REQUIRE CONTINUING EDUCATION, ALLOW FOR FEES, AND SET STANDARDS OF CONDUCT FOR PUBLIC ADJUSTERS, AMONG OTHER THINGS; TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION; AND BY REPEALING CHAPTERS 47 AND 48 OF TITLE 38.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 697--DEBATE ADJOURNED

The following Bill was taken up:

S. 697 -- Senator Gambrell: A BILL TO TRANSFER THE SOUTH CAROLINA 211 NETWORK TO THE DEPARTMENT OF CONSUMER AFFAIRS; TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 37-6-515 SO AS TO CREATE THE SOUTH CAROLINA 211 NETWORK WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY AMENDING SECTION 1-11-770, RELATING TO THE SOUTH CAROLINA 211 NETWORK, SO AS TO MAKE CONFORMING CHANGES.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 325--DEBATE ADJOURNED

The following Bill was taken up:

S. 325 -- Senators Massey, Alexander, Walker and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF CONSUMER AFFAIRS TO THE DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY ADDING

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SECTION 1-30-145 SO AS TO PROVIDE FOR THE TRANSITION OF THE DEPARTMENT OF CONSUMER AFFAIRS TO THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY AMENDING SECTION 37-6-103, RELATING TO THE DEFINITION OF "ADMINISTRATOR," SO AS TO PROVIDE THAT THE ADMINISTRATOR IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTIONS 37-6-104(6), 37-6-117(I), 37-6-501 THROUGH 510, 37-6-602, AND 37-6-604(B), ALL RELATING TO FUNCTIONS AND DUTIES OF THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION ON CONSUMER AFFAIRS TO BE REPLACED WITH AN ADMINISTRATOR AS THE HEAD OF THE DEPARTMENT.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 163--DEBATE ADJOURNED

The following Bill was taken up:

S. 163 -- Senators Verdin and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 47 TO TITLE 34 SO AS TO PROHIBIT A GOVERNING AUTHORITY FROM ACCEPTING OR REQUIRING PAYMENT USING CENTRAL BANK DIGITAL CURRENCY OR PARTICIPATING IN A TEST OF CENTRAL BANK DIGITAL CURRENCY; TO PERMIT INDIVIDUALS OR BUSINESSES USING DIGITAL CURRENCY FOR TRANSACTIONS; TO PROVIDE THAT DIGITAL ASSETS MAY NOT BE SINGLED OUT FOR DISPARATE TAX TREATMENT; TO PROVIDE THAT DIGITAL CURRENCY TRANSACTION MAY BE TAXED IF THE TAXATION IS THE SAME AS IF THE TRANSACTION USED UNITED STATES LEGAL TENDER; TO PROVIDE THAT DIGITAL CURRENCY OPERATIONS MAY BE NOT BE SUBJECTED TO DISPARATE ZONING TREATMENT; TO PROVIDE THAT DIGITAL ASSET MINING BUSINESS OPERATIONS SHALL NOT PLACE ANY ADDITIONAL STRESS ON THE ELECTRICAL GRID FOR WHICH THEY ARE CONNECTED AND TO PROVIDE THAT DIGITAL MINING BUSINESSES MUST PROVIDE CERTAIN INFORMATION TO THE PUBLIC SERVICE COMMISSION UPON REQUEST; TO PROVIDE THAT THOSE ENGAGED IN DIGITAL

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MINING OPERATIONS DO NOT HAVE TO OBTAIN CERTAIN LICENSES AND THAT THOSE WHO PROVIDE CERTAIN SERVICES RELATED TO DIGITAL MINING OR STAKING ARE NOT OFFERING A SECURITY; TO PROVIDE THAT THE ATTORNEY GENERAL CAN PROSECUTE AN INDIVIDUAL WHO OR BUSINESS THAT FRAUDULENTLY CLAIM TO BE OFFERING DIGITAL ASSET MINING AS SERVICE OR STAKING AS A SERVICE; AND TO DEFINE NECESSARY TERMS.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

H. 5122--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 5122 -- Reps. B. Newton, Bannister, Herbkersman, Yow, C. Mitchell, Rose, Cobb-Hunter, Lawson, Brewer, Kirby, Ballentine, Rutherford, Hiott, Gagnon, Guest, M. M. Smith, Howard, Pope, Grant, Anderson, Schuessler, G. M. Smith, Caskey, Davis and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 31 TO CHAPTER 9, TITLE 58 SO AS TO PERMIT CERTAIN ITEMS SOLD TO OR USED BY INTERNET ACCESS SERVICE PROVIDERS AND COMMUNICATIONS SERVICE PROVIDERS TO BE EXEMPT FROM SALES TAX.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 5122 (LC-5122.DG0001H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-9-3100(B) and inserting:

(B) An internet access provider or communications service provider shall apply to the Department of Revenue for a refund of state and local sales and use taxes paid on items exempt under this section not later than January thirty-first for the prior calendar year. No later than May first, the department shall calculate the total amount of qualifying refund claims. If the total amount of refund claims exceeds ten million dollars for any year, the department shall issue pro-rata refunds such that the total amount of refund claims shall not exceed ten million dollars for any year. Refunds shall be paid no later than June first.

Re-number sections to conform.

Amend title to conform.

[HJ]

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Rep. LONG explained the amendment.
The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 82; Nays 15

Those who voted in the affirmative are:

| | | |
|-------------|-------------|-----------------|
| Anderson | Atkinson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Bernstein | Bowers |
| Bradley | Brewer | Burns |
| Calhoon | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Cox | Davis |
| Dillard | Duncan | Erickson |
| Gagnon | Garvin | Gatch |
| Gilliam | Gilliard | Govan |
| Grant | Guest | Haddon |
| Hager | Hardee | Hart |
| Hartnett | Hayes | Henderson-Myers |
| Herbkersman | Hewitt | Hiott |
| Hixon | Holman | Hosey |
| Jones | Lawson | Ligon |
| Long | Low | McCrary |
| McGinnis | C. Mitchell | T. Moore |
| Moss | Neese | B. Newton |
| W. Newton | Oremus | Rankin |
| Reese | Rivers | Robbins |
| Rose | Rutherford | Sanders |
| Schuessler | Scott | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Teeple | Vaughan | Weeks |
| Wetmore | Whitmire | Wickensimer |
| Williams | Willis | Wooten |
| Yow | | |

Total--82

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Those who voted in the negative are:

| | | |
|----------|-----------|-----------|
| Beach | Cromer | Edgerton |
| Ford | Gibson | Gilreath |
| Huff | Kilmartin | Lastinger |
| Magnuson | McCabe | McDaniel |
| Morgan | Terribile | White |

Total--15

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 5122--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. LONG, with unanimous consent, it was ordered that H. 5122 be read the third time tomorrow.

S. 853--DEBATE ADJOURNED

The following Bill was taken up:

S. 853 -- Senators Davis, Hutto, Sutton, Graham, Turner, Stubbs, Matthews, Zell, Campsen, Kimbrell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-120, RELATING TO THE ABANDONED BUILDINGS REVITALIZATION ACT DEFINITIONS, SO AS TO CLARIFY THAT THE EXISTENCE OF AN INCOME-PRODUCING USE PRIOR TO THE PERIOD OF ABANDONMENT IS NOT A REQUIREMENT FOR ELIGIBILITY; BY AMENDING SECTION 12-67-130, RELATING TO APPLICABILITY, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-67-140, RELATING TO ELIGIBILITY FOR THE CREDIT, SO AS TO CLARIFY CERTAIN TIMING CONSIDERATIONS RELATED TO THE FILING OF A NOTICE OF INTENT TO REHABILITATE AN ABANDONED BUILDING AND TO CLARIFY THAT ABANDONED BUILDING TAX CREDITS MAY NOT SERVE AS COLLATERAL FOR ANY DEBT; AND BY AMENDING SECTION 12-67-160, RELATING TO THE CERTIFICATION OF ABANDONED BUILDING SITES, SO AS TO REMOVE A REQUIREMENT FOR CERTAIN CERTIFICATIONS OF STATE-OWNED ABANDONED BUILDING SITES.

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Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 439--DEBATE ADJOURNED

The following Bill was taken up:

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson, Sutton, Cromer, Climer, Adams, Zell and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE THE MAXIMUM REIMBURSEMENT AMOUNT FOR THE EXEMPTION ON CERTAIN MANUFACTURING PROPERTY.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 863--DEBATE ADJOURNED

The following Bill was taken up:

S. 863 -- Senators Grooms, Cromer, Martin, Bennett, Rankin, Tedder, Sutton and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-103-15, RELATING TO THE STATE'S MISSION AND GOALS FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR AN APPLIED BACCALAUREATE IN CULINARY ARTS MANAGEMENT DEGREE FROM INSTITUTIONS THAT ARE PART OF THE STATE TECHNICAL AND COMPREHENSIVE EDUCATION SYSTEM; AND BY AMENDING SECTION 59-103-15, RELATING TO FUNDING FOR CERTAIN DEGREES, SO AS TO PROVIDE THAT APPLIED BACCALAUREATE IN CULINARY ARTS MANAGEMENT DEGREE PROGRAMS ARE ONLY ALLOWED IF STATE FUNDS ARE NOT APPROPRIATED TO FUND THE PROGRAMS.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

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S. 52--INTERRUPTED DEBATE

The following Bill was taken up:

S. 52 -- Senators Davis, Cash, Gambrell, Grooms, Jackson, Devine, Climer, Johnson, Adams, Turner, Kimbrell, Sutton, Blackmon, Williams, Alexander, Verdin, Garrett, Zell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2930, RELATING TO OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO AMEND THE PENALTY PROVISIONS TO PERMIT SENTENCES OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2933, RELATING TO DRIVING WITH UNLAWFUL ALCOHOL CONCENTRATIONS, SO AS TO PERMIT SENTENCES OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO DELETE THE PROVISION THAT PROVIDES NOTHING IN THE SECTION REQUIRES INSTALLATION OF IGNITION INTERLOCK DEVICES PRIOR TO CONTESTED CASE HEARINGS; BY AMENDING SECTION 56-5-2945, RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE, SO AS TO CREATE THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE SECOND DEGREE, ESTABLISH PENALTIES, AND DEFINE THE TERM "MODERATE BODILY INJURY"; BY AMENDING SECTION 56-5-2947, RELATING TO CHILD ENDANGERMENT, SO AS TO INCLUDE THE OFFENSES OF RECKLESS VEHICULAR HOMICIDE AND RECKLESS DRIVING AS VIOLATIONS SUBJECT TO A CHARGE OF CHILD ENDANGERMENT; BY AMENDING SECTION 56-5-2950, RELATING TO IMPLIED CONSENT TO TESTING FOR ALCOHOL OR DRUGS, SO AS TO REVISE THE CIRCUMSTANCES, PROCEDURES TO BE FOLLOWED, AND TEST SITES THAT CAN BE USED WHEN PERSONS ARE SUBJECTED TO TESTS FOR ALCOHOL OR DRUGS, TO PROVIDE THAT LABORATORY TECHNICIANS, PHLEBOTOMISTS, AND EMERGENCY MEDICAL TECHNICIANS MAY OBTAIN BLOOD OR URINE SAMPLES, TO REVISE THE PERIOD OF SUSPENSIONS OF DRIVING PRIVILEGES THAT MUST BE IMPOSED FOR FAILURE

[HJ]

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IF PERSONS REFUSE TO BE TESTED AND IF PERSONS HAVE CERTAIN ALCOHOL CONCENTRATIONS, TO REVISE THE PROVISION THAT ESTABLISHES ALCOHOL CONCENTRATIONS, AND TO DELETE THE PROVISION RELATING TO PERSONS INCAPABLE OF REFUSING TO CONSENT TO TESTS; BY AMENDING SECTION 56-5-2951, RELATING TO SUSPENSION OF LICENSES FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVELS OF ALCOHOL CONCENTRATIONS, SO AS TO PROVIDE THAT PERSONS ISSUED LICENSE SUSPENSIONS MAY INSTALL IGNITION INTERLOCK DEVICES WITHIN THIRTY DAYS AND OBTAIN TEMPORARY DRIVERS' LICENSES WITH IGNITION INTERLOCK RESTRICTIONS, AND TO PROVIDE THAT PERSONS WHO REFUSE TO SUBMIT TO CHEMICAL TESTS MUST HAVE THEIR DRIVERS' LICENSES SUSPENDED FOR ONE YEAR FOR A FIRST OFFENSE, AND TO PROVIDE INCREASED SUSPENSIONS FOR SUBSEQUENT OFFENSES, OR IF PERSONS TAKE THE TESTS AND REGISTER ALCOHOL CONCENTRATIONS OF OVER FIFTEEN ONE-HUNDREDTH OF ONE PERCENT OR MORE, THAT THEIR LICENSES ARE SUSPENDED FOR TWO MONTHS; BY AMENDING SECTION 56-5-2953, RELATING TO INCIDENT SITES AND BREATH TEST SITES FOR VIDEO RECORDING, SO AS TO PROVIDE THAT NOTHING IN THIS SECTION MAY BE CONSTRUED TO COMPEL OR AUTHORIZE A DISMISSAL OF A DUI OFFENSE IF THE OFFICERS SUBSTANTIALLY COMPLY WITH THE STATUTE AND THAT MOTIONS FOR SUPPRESSION OF EVIDENCE UNDER THE STATUTE MUST BE MADE PRIOR TO JEOPARDY ATTACHING; BY AMENDING SECTION 56-5-2920, RELATING TO RECKLESS DRIVING, SO AS TO CREATE THE OFFENSES OF FELONY RECKLESS DRIVING WITH GREAT BODILY INJURY AND RECKLESS DRIVING RESULTING IN MODERATE BODILY INJURY AND TO ESTABLISH PENALTIES; BY ADDING SECTION 56-5-2960 SO AS TO PROVIDE THAT PERSONS CONVICTED OF FELONY DRIVING UNDER THE INFLUENCE CAUSING THE DEATH OR DISABILITY OF PARENTS OR GUARDIANS MAY BE ORDERED TO PAY CHILD SUPPORT AS RESTITUTION FOR THE DURATION OF ANY PROBATION ORDERED, PERFORM COMMUNITY SERVICE, OR BOTH; BY AMENDING SECTION 56-1-286, RELATING TO THE SUSPENSION OF LICENSES OR PERMITS OR THE DENIAL OF

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ISSUANCE OF LICENSES OR PERMITS TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH CERTAIN ALCOHOL CONCENTRATIONS, SO AS TO PROVIDE THAT PERSONS ISSUED NOTICES OF SUSPENSIONS MAY OBTAIN TEMPORARY LICENSES WITH IGNITION INTERLOCK RESTRICTIONS; AND BY AMENDING SECTION 56-1-400, RELATING TO THE SURRENDER OF LICENSES, SO AS TO REMOVE THE PROVISION THAT NOTHING IN THIS SECTION REQUIRES PERSONS OBTAIN IGNITION INTERLOCKS UNLESS THE OFFENSES ARE ALCOHOL RELATED.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 52 (LC-52.CM0002H), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2930(C) and (H) and inserting:

~~—(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that occurred while the person was driving in violation of this section, and resulted in bodily injury is guilty of the offense of driving under the influence, third degree, and, upon conviction, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24 including, but not limited to, reasonable access to all documents relating to the investigation.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services. The judge must order participation in a DUI victim impact panel that may be attended in person or online~~including, but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the Office of Substance Use Services, which may include~~

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~~online victim impact panels~~ if approved by the office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed ~~seventy-five dollars~~ ~~subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is to be considered enrolled after successful submission of their application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services Office of Substance Use Services~~ shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ two thousand dollars for education services, ~~two thousand~~ four thousand dollars for treatment services, and ~~two thousand five hundred~~ five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. ~~The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Amend the bill further, by deleting SECTION 2 from the bill.

Amend the bill further, SECTION 3, by striking Section 56-5-2933(C) and (H) and inserting:

[HJ]

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~~—(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while driving a vehicle while his alcohol concentration is eight one-hundredths of one percent or more and while driving a vehicle did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that resulted in bodily injury and occurred while the person was driving in violation of this section, is guilty of the offense of driving with an unlawful alcohol concentration, third degree, and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished by a fine not less than two thousand one hundred dollars nor more than five thousand one hundred dollars and imprisonment not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24, including but not limited to, reasonable access to all documents relating to the investigation.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services, ~~and the~~ The judge must order participation in a DUI victim impact panel that may be attended in person or online ~~including, but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the Office of Substance Use Services, which may include online victim impact panels~~ if approved by the office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is considered enrolled after successful submission of their application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of

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education or treatment. The cost may not exceed ~~five hundred~~ one thousand dollars for education services, ~~two four~~ four thousand dollars for treatment services, and ~~two thousand five hundred~~ five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. ~~The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after 2026. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy five dollars subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Amend the bill further, by deleting SECTIONS 4 and 5 from the bill.

Amend the bill further, SECTION 6, by striking Section 56-5-2941(A)(1) and inserting:

(1) The Department of Motor Vehicles shall require a person who is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or who is issued a temporary alcohol license pursuant to Section 56-1-286 or 56-5-2951, to have installed on any motor vehicle the person drives, except a moped or motorcycle, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This requirement shall not apply to a person who submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of ~~.00~~ less than five one-hundredths of one percent.

Amend the bill further, SECTION 6, by striking Section 56-5-

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2941(A)(5) and inserting:

(5) Nothing in this section shall be construed to require installation of an ignition interlock device until the suspension is upheld at a contested case hearing or the contested hearing is waived.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-5-2941(Q) of the S.C. Code is amended to read:

(Q) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. Manufacturers of ignition interlock devices shall apply to the Department of Probation, Parole and Pardon Services for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. The Department of Probation, Parole and Pardon Services may charge an initial annual fee on the manufacturer's application for certification of each device, and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. This fee shall be remitted to the Ignition Interlock Device Fund for use by the Department of Probation, Parole and Pardon Services in support of the Ignition Interlock Device Program.

(2) All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

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(3) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(4) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(5) A person from another state subject to an ignition interlock device requirement of this state may satisfy the ignition interlock requirement by installing a device in any other state so long as the out-of-state ignition interlock installer is certified by the Department of Probation, Parole and Pardon Services. The person shall comply with all provisions of this Section except that the person shall not be required to have the device installed or inspected in South Carolina or obtain a South Carolina ignition interlock restricted license. The person's privilege to drive in South Carolina shall not be suspended so long as the person from another state is otherwise in compliance with this section.

Amend the bill further, SECTION 8, by striking Section 56-5-2945(A) and inserting:

(A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes moderate bodily injury to another person ~~or damage to real or personal property of another valued at over twenty-five thousand dollars,~~ is guilty of the offense of felony driving under the influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than three thousand dollars nor more than six thousand dollars and mandatory imprisonment for not less than ninety days nor more than ~~ten~~ five years.

Amend the bill further, SECTION 9, by striking Section 56-5-2947(D)(1) and inserting:

(1) In addition to imposing the penalties for offenses listed in subsection (A)(1) and the penalties contained in subsection (B), the Department of Motor Vehicles shall suspend the person's driver's license

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for sixty days upon conviction under subsection (A)(1)(a). Upon conviction under subsection (A)(1)(b) through ~~(d)~~(f), the Department of Motor Vehicles shall suspend the person's driver's license.

Amend the bill further, SECTION 10, by striking Section 56-5-2950(A) and inserting:

(A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath, or blood; ~~or urine~~ for the purpose of determining the presence of alcohol, drugs, or the combination of alcohol and drugs, if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. ~~A breath test~~Any breath or blood testing must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs.

~~—(1) At~~ At ~~If the officer has reasonable suspicion to believe the person is under the influence of alcohol,~~ at the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. ~~If~~ However, if the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel, ~~the person is being evaluated or treated at a medically licensed facility,~~ the arresting officer may request a blood sample to be taken ~~without first offering a breath test.~~ If the officer has ~~reasonable suspicion~~ probable cause that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may ~~order~~ request that a ~~urine-blood~~ sample be taken for testing. ~~Probable cause for blood testing may only arise if the determination is made by an officer who is a certified Drug Recognition Expert.~~ A breath sample taken for testing must be collected within two hours of the arrest. Any additional tests to collect other samples ~~taken with the timely consent of the person~~ must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, an eight one-hundredths of one percent simulator test must be performed and the result must reflect a reading between 0.076 percent and 0.084 percent.

~~—(2) If the officer has reasonable suspicion that the person is under the influence of drugs other than alcohol, or is under the influence of a~~

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~~combination of alcohol and drugs, the officer may request that the person submit a blood sample for testing. Such a request may be made with, or without first offering a breath test. A request for a blood sample may also be made after a breath sample has been provided if the officer has reasonable suspicion that the person is under the influence of drugs other than alcohol. Blood samples taken with the consent of the person must be collected within three hours of the arrest unless exigent circumstances prevent collection of the samples within the three-hour period.~~

Blood and urine samples must be obtained by physicians licensed by the State Board of Medical Examiners ~~a licensed physician, or a registered nurse licensed by the State Board of Nursing, a certified phlebotomist, or~~ nurses licensed by the State Board of Nursing, and other medical personnel trained to obtain the samples in a licensed medical facility. ~~The arresting officer shall not draw or obtain the blood sample.~~ Blood and urine samples must be obtained and handled in accordance with procedures approved by SLED ~~and may be collected anywhere the Department of Public Health and the trained person who is collecting the sample determine is reasonable and adheres to the medical industry standard of safety and quality procedures.~~

Amend the bill further, SECTION 10, Section 56-5-2950, by striking the <<placeholder>> undesignated paragraph and inserting:

(A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath, or blood, ~~or urine~~ for the purpose of determining the presence of alcohol, drugs, or the combination of alcohol and drugs, if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test ~~Any breath or blood testing~~ must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs.

~~(1) At~~ If the officer has reasonable suspicion to believe the person is under the influence of alcohol, at the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. ~~If~~ However, if the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel, ~~the person is being evaluated or treated at a medically licensed facility,~~ the arresting officer may request a blood sample to be taken ~~without first offering a breath~~

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test. If the officer has ~~reasonable suspicion~~ probable cause that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may ~~order~~ request that a ~~urine-blood~~ sample be taken for testing. Probable cause for blood testing may only arise if the determination is made by an officer who is a certified Drug Recognition Expert. A breath sample taken for testing must be collected within two hours of the arrest. Any additional ~~tests to collect other samples taken with the timely consent of the person~~ must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, an eight one-hundredths of one percent simulator test must be performed and the result must reflect a reading between 0.076 percent and 0.084 percent.

Amend the bill further, SECTION 10, by deleting Section 56-5-2950(A)(2) from the bill.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-5-2950 of the S.C. Code is amended to read:

Section 56-5-2950. (A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath, ~~or~~ blood, or urine for the purpose of determining the presence of alcohol, drugs, or the combination of alcohol and drugs, if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs. At the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. If the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel, the arresting officer may request a blood sample to be taken. If the officer has ~~reasonable suspicion~~ probable cause that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may ~~order~~ request that a ~~urine-blood~~ sample be taken for testing. Probable cause for blood testing may only arise if the determination is made by an officer who is certified in Advanced Roadside Impairment Detection and Enforcement or is a

certified Drug Recognition Expert. A breath sample taken for testing must be collected within two hours of the arrest. Any additional tests to collect other samples must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, an eight one-hundredths of one percent simulator test must be performed and the result must reflect a reading between 0.076 percent and 0.084 percent. Blood ~~and urine~~ samples must be obtained by physicians licensed by the State Board of Medical Examiners, registered nurses licensed by the State Board of Nursing, and other medical personnel trained to obtain the samples in a licensed medical facility. Blood ~~and urine~~ samples must be obtained and handled in accordance with procedures approved by SLED.

(B) No tests may be administered or samples obtained unless, upon activation of the video recording equipment and prior to the commencement of the testing procedure, the person has been given a written copy of and verbally informed that:

(1) the person does not have to take the test or give the samples, but that the person's privilege to drive must be suspended or denied for at least six months with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person refuses to submit to the test, and that the person's refusal may be used against the person in court;

(2) the person's privilege to drive must be suspended for at least one month with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person takes the test or gives the samples and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(3) the person has the right to have a qualified person of the person's own choosing conduct additional independent tests at the person's expense;

(4) the person has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension; and

(5) if the person does not request a contested case hearing or if the person's suspension is upheld at the contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(C) A hospital, physician, qualified technician, chemist, or registered nurse who obtains the samples or conducts the test or participates in the process of obtaining the samples or conducting the test in accordance with this section is not subject to a cause of action for assault, battery, or another cause alleging that the drawing of blood or

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taking samples at the request of the arrested person or a law enforcement officer was wrongful. This release from liability does not reduce the standard of medical care required of the person obtaining the samples or conducting the test. This qualified release also applies to the employer of the person who conducts the test or obtains the samples. If the arresting officer serves a valid search warrant for the collection of samples pursuant to this section on a licensed medical facility, then the facility must comply with the warrant.

(D) The person tested or giving samples for testing may have a qualified person of the person's own choosing conduct additional tests at the person's expense and must be notified in writing of that right. A person's request or failure to request additional blood ~~or urine~~-tests is not admissible against the person in the criminal trial. The failure or inability of the person tested to obtain additional tests does not preclude the admission of evidence relating to the tests or samples obtained at the direction of the law enforcement officer.

(E) The arresting officer shall provide affirmative assistance to the person to contact a qualified person to conduct and obtain additional tests. Affirmative assistance, at a minimum, includes providing transportation for the person to the nearest medical facility which performs blood tests to determine a person's alcohol concentration. If the medical facility obtains the blood sample but refuses or fails to test the blood sample to determine the person's alcohol concentration, SLED shall test the blood sample and provide the result to the person and to the arresting officer. Failure to provide affirmative assistance upon request to obtain additional tests bars the admissibility of the breath test result in a judicial or administrative proceeding.

SLED shall administer the provisions of this subsection and shall make regulations necessary to carry out this subsection's provisions. The costs of the tests administered at the direction of the law enforcement officer must be paid from the state's general fund. However, if the person is subsequently convicted of violating Section 56-5-2930, 56-5-2933, or 56-5-2945, then, upon conviction, the person shall pay twenty-five dollars for the costs of the tests. The twenty-five dollars must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(F) A qualified person who obtains samples or administers the tests or assists in obtaining samples or the administration of tests at the direction of a law enforcement officer is released from civil and criminal

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liability unless the obtaining of samples or tests is performed in a negligent, reckless, or fraudulent manner. ~~No person may be required by the arresting officer, or by another law enforcement officer, to obtain or take any sample of blood or urine.~~

(G) In the criminal prosecution for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 the alcohol concentration at the time of the test, as shown by chemical analysis of the person's breath or other body fluids, gives rise to the following:

(1) if the alcohol concentration was at that time five one-hundredths of one percent or less, it is conclusively presumed that the person was not under the influence of alcohol;

(2) if the alcohol concentration was at that time in excess of five one-hundredths of one percent but less than eight one-hundredths of one percent, this fact does not give rise to any inference that the person was or was not under the influence of alcohol, but this fact may be considered with other evidence in determining the guilt or innocence of the person; or

(3) if the alcohol concentration was at that time eight one-hundredths of one percent or more, it may be inferred that the person was under the influence of alcohol.

The provisions of this section must not be construed as limiting the introduction of any other evidence bearing upon the question of whether or not the person was under the influence of alcohol, drugs, or a combination of alcohol and drugs.

(H) A person who is unconscious or otherwise in a condition rendering the person incapable of refusal is considered to be informed and not to have withdrawn the consent provided by subsection (A) of this section.

(I) A person required to submit to tests by the arresting law enforcement officer must be provided with a written report including the time of arrest, the time of the tests, and the results of the tests before any trial or other proceeding in which the results of the tests are used as evidence. A person who obtains additional tests shall furnish a copy of the time, method, and results of such tests to the officer before a trial, hearing, or other proceeding in which the person attempts to use the results of the additional tests as evidence.

(J) Policies, procedures, and regulations promulgated by SLED may be reviewed by the trial judge or hearing officer on motion of either party. The failure to follow policies, procedures, and regulations, or the provisions of this section, shall result in the exclusion from evidence of any test results, if the trial judge or hearing officer finds that this failure

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materially affected the accuracy or reliability of the test results or the fairness of the testing procedure and the court trial judge or hearing officer rules specifically as to the manner in which the failure materially affected the accuracy or reliability of the test results or the fairness of the procedure.

(K) If a state employee charged with the maintenance of breath testing devices in this State and the administration of breath testing policy is required to testify at a contested case hearing or court proceeding, the entity employing the witness may charge a reasonable fee to the defendant for such services.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(B)(1)(c) and inserting:

(c) obtain a temporary alcohol license ~~with an ignition interlock device restriction pursuant to Section 56-1-400~~ from the Department of Motor Vehicles. Notwithstanding another provision of law, a person who is charged with an offense contained in subsection (A) and it is a second or subsequent offense as defined in subsection (I)(2) must enroll in the Ignition Interlock Device Program pending the outcome of the contested case hearing. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. ~~If a final disposition of the matter has not occurred within ninety days of the request of the contested case hearing, the Department of Motor Vehicles shall remove the ignition interlock device restriction pending the final disposition of the contested case hearing. If the person asks for a continuance which delays the hearing, the ignition interlock device restriction shall be extended for an additional ninety days.~~ Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section, or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the

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Department of Motor Vehicles sends notice to the person pursuant to subsection (H).

Failure by the person to submit the notice of suspension with a hearing request under this Section and Section 56-5-2951 shall not prevent the Office of Motor Vehicle Hearings from scheduling a hearing if the person submits with a written hearing request an affidavit of the person stating (i) the date of the offense, (ii) the person's name and driver's license number and state of origin, (iii) the reason why the notice of suspension was not available for submission, and (iv) , the name of the agency, arresting officer and county of arrest . The administrative hearing officer may not sustain a suspension solely on the basis that the person lost the notice of suspension or if the person did not receive the notice of suspension from the arresting officer. A person who complies with this section may obtain a temporary alcohol license pursuant to Section 56-5-2951(B).

Amend the bill further, SECTION 11, by striking Section 56-5-2951(E)(2) and inserting:

(2) Following the advisement, the arresting officer must electronically submit the notice to the Department of Motor Vehicles. The suspension begins upon the ~~electronic submission of the~~ issuance of the notice of suspension to the person arrested. The arresting officer is not required to confiscate the person's driver's license. The person is not required to return the license to the Department of Motor Vehicles.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(I)(1)(a) and (b) and inserting:

(a) ~~six months one year~~ nine months for a person who refuses to submit to a test pursuant to Section 56-5-2950; or

(b) ~~one month two three months~~ for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(I)(2)(a), (b), and (c) and inserting:

(a) for a second offense, ~~nine months two years~~ one year if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~two four six~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, ~~twelve months three years~~ two years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~three six nine~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of

one percent or more; and

(c) for a fourth or subsequent offense, ~~fifteen months~~ ~~four years~~ three years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~four~~ ~~eight months~~ one year if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

Amend the bill further, SECTION 12, by striking Section 56-5-2953(A) and inserting:

(A) A person who violates Section 56-5-2930, 56-5-2933, or 56-5-2945 must have his conduct ~~at the incident site and the breath test site~~-video recorded. The State may comply with the video recording requirement by offering into evidence one or more video recordings, or by establishing that one or more of the exceptions provided for in subsection (B) applies.

(1)(a) ~~The video~~ Video recording ~~at the incident site~~ must:

(i) not begin later than the activation of the officer's blue lights;

(ii) include any field sobriety tests or drug recognition examinations administered; and

(iii) include the arrest of a person for a violation of Section 56-5-2930 or Section 56-5-2933, or a probable cause determination in that the person violated Section 56-5-2945, and ~~show~~ reasonably document the person being advised of his Miranda rights.

~~_____ (iii) reasonably document the advisement of Miranda rights if Miranda warnings are given. Nothing in this section shall be construed to require the giving of Miranda warnings unless the state attempts to introduce statements made in response to a custodial interrogation.~~

(b) A refusal to take a field sobriety test does not constitute disobeying a police command.

(2) ~~The~~ ~~if a breath test is administered,~~ video recording ~~at the~~ ~~breath test site~~ must:

(a) include the entire ~~breath~~-test procedure, the person being informed that he is being video recorded, and that he has the right to refuse the test;

(b) include the person taking or refusing the ~~breath~~-test and the actions of the breath test operator or sample collector while conducting the test; and

(c) also include the person's conduct during the required twenty-minute ~~pre-test~~ pre-breath test waiting period if a breath test is administered, unless the officer submits a sworn affidavit certifying that it was physically impossible to video record this waiting period.

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(3) The video recordings ~~of made at the incident site and of in the law enforcement vehicle, on a body worn camera, and of at the breath test site~~ are admissible pursuant to the South Carolina Rules of Evidence in a criminal, administrative, or civil proceeding by any party to the action.

Amend the bill further, SECTION 12, by striking Section 56-5-2953(B)(1) and inserting:

(B)(1) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. ~~A violation of this section is not grounds for the dismissal of a violation of Section 56-5-2930, Section 56-5-2933, or Section 56-5-2945.~~

~~(2) Failure by the arresting officer to produce the video recording required by this section is not alone a ground for dismissal of any charge made pursuant to a video recording that substantially complies with the recording requirements of this section may be grounds for the suppression of evidence that was not properly recorded or documented as set forth in this section in any trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 if unless the arresting officer submits a sworn affidavit certifying that the video recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable condition, and certifying that there was no other operable breath test facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, road blocks, roadblocks, traffic accident investigations, and citizens' arrests, where an arrest has been made and the video recording equipment has not been activated by blue lights, the failure by the arresting officer to produce the video recordings required by this section is not alone a ground for dismissal the suppression of evidence. However, as soon as video recording is practicable in these circumstances, video recording must begin as soon as practicable and thereafter must conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the of the State to substantially comply with any video recording requirements based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law~~

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enforcement officer's failure to produce the video recording.

Amend the bill further, SECTION 12, Section 56-5-2953, by striking the undesignated paragraph and inserting:

(B)(1) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. ~~A violation of this section is not grounds for the dismissal of a violation of Section 56-5-2930, Section 56-5-2933, or Section 56-5-2945.~~

~~—(2) Failure by the arresting officer to produce the video recording required by this section is not alone a ground for dismissal of any charge made pursuant to a video recording that substantially complies with the recording requirements of this section may be grounds for the suppression of evidence that was not properly recorded or documented as set forth in this section in any trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 if unless~~ the arresting officer submits a sworn affidavit certifying that the video recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable condition, and certifying that there was no other operable breath test facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, ~~road blocks~~ roadblocks, traffic accident investigations, and citizens' arrests, where an arrest has been made and the video recording equipment has not been activated by blue lights, the failure by the arresting officer to produce the video recordings required by this section is not alone a ground for ~~dismissal the suppression of evidence~~. However, ~~as soon as video recording is practicable in these circumstances~~, video recording must begin as soon as practicable and thereafter must conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the of the State to ~~substantially comply with any~~ video recording ~~requirements~~ based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer's failure to produce the video recording.

Amend the bill further, SECTION 12, by striking Section 56-5-2953(B)(3) and inserting:

~~(3)~~ (2) The court must view all relevant portions of any video

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recordings before making ~~a any ruling on suppression of evidence or testimony~~ video recordings before making any ruling under this section.

Amend the bill further, SECTION 13, by striking Section 56-5-2920(D) and (E) and inserting:

(D) The Department of Motor Vehicles, upon receiving satisfactory evidence of the conviction, of the entry of a plea of guilty, or the forfeiture of bail of any person charged with a second and subsequent offense of the violation of this section shall suspend the driver's license of any such person for a period of three months. Only those offenses which occurred within a period of five years including and immediately preceding the date of the last offense shall constitute prior offenses within the meaning of this section.

~~—(E) Prosecution under this section does not prevent the charging and prosecution under any other section or chapter.~~

Amend the bill further, SECTION 14, by deleting Section 56-5-2960(A)(1) from the bill.

Amend the bill further, SECTION 14, by striking Section 56-5-2960(B)(1) and inserting:

(B)(1) If a defendant is convicted of a violation of Section 56-5-2945(B) and the violation caused the death of a parent or guardian of a minor child or dependent or resulted in a finding by the court that a parent or guardian of a minor child or dependent is ~~disabled or~~ totally and permanently disabled, then the sentencing court may order the defendant to pay restitution in the form of financial support for the child or dependent to each child or dependent of the victim for the duration of any probationary sentence and/or community supervision until the child or dependent reaches eighteen years of age, or nineteen years of age if the child or dependent is still enrolled in high school.

Amend the bill further, SECTION 14, by striking Section 56-5-2960(C)(2) and inserting:

(2) If the court orders the defendant to pay restitution to financially support the child or dependent under this section and the surviving parent or guardian subsequently brings a civil action and obtains a judgment or satisfaction of damages, the restitution order shall be offset by the amount of the judgment awarded or satisfaction of damages, and paid by the defendant or the defendant's insurance for lost wages or permanent impairment of the power to work and earn money in the civil action.

Amend the bill further, SECTION 15, by striking Section 56-5-2990(C) and inserting:

(C) The Office of Substance Use Services shall determine the cost

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of services provided by each certified Alcohol and Drug Safety Action Program. Each person shall bear the cost of services recommended in the person's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ dollars for education services, ~~two four thousand~~ dollars for treatment services, and ~~two thousand five hundred five thousand~~ dollars in total for all services. No person may be denied services due to an inability to pay. ~~The cost for the Alcohol and Drug Safety Action Program is subject to the annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ Inability to pay for services may not be used as a factor in determining if the person has successfully completed services. A person who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the person has successfully completed services. The Office of Substance Use Services shall report annually to the House Ways and Means Committee and Senate Finance Committee on the number of first and multiple offenders completing the Alcohol and Drug Safety Action Program, the amount of fees collected and expenses incurred by each Alcohol and Drug Safety Action Program, and the number of community service hours performed in lieu of payment.

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(1)(c) and inserting:

(c) obtain a temporary alcohol ~~license with an ignition interlock restriction pursuant to Section 56-1-400~~ from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee must be distributed to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive a motor vehicle pending the outcome of the contested case hearing provided for in this section or the final decision or disposition of the matter.

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(2) and (3) and inserting:

~~(2) The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock~~

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~~restriction has been removed, then the person can obtain a temporary alcohol license without an ignition interlock restriction.~~

~~(3)~~ (2) At the contested case hearing, if:

(a) the suspension is upheld, the person shall enroll in an Alcohol and Drug Safety Action Program and the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension periods provided for in subsections (F) and (G); ~~and/or~~

~~(b) the person must enroll in the Ignition Device Program pursuant to Section 56-5-2941; the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.~~

Amend the bill further, by deleting SECTION 18 from the bill.

Amend the bill further, by striking SECTIONS 23, 24, and 25 and inserting:

SECTION X. The Office of Substance Abuse Services and the Department of Motor Vehicles shall each conduct a study on the feasibility and costs of the creation of education materials that would be similar to victim impact panels which emphasize the impact of accidents resulting from driving under the influence and driving while distracted. The feasibility and costs of video material between thirty minutes and one hour in length must be considered. These materials would be designed for teenage drivers and would be components of the license examination requirements set forth in Section 56-1-130. The reports must include findings of whether such materials, video or otherwise, would have any benefit on public safety, and whether any requirements under this subsection should be imposed on all applicants for drivers licenses, or only those applicants under a particular age. The Office of Substance Abuse Services and Department of Motor Vehicles must issue reports of their findings to the Senate, the House of Representatives, and the Governor by February 28, 2027.

SECTION X. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest

and conviction and any associated bench warrant. ~~However, this section does not apply to an offense involving the operation of a motor vehicle.~~

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records ~~of the arrest and conviction and any associated bench warrant.~~

~~—(C) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), the circuit court may issue an order expunging the records including any associated bench warrant.~~

(C) Following a conviction for driving under the influence pursuant to Section 56-5-2930(A) or driving with an unlawful alcohol concentration pursuant to 56-5-2933(A), the defendant after ten years from the offense date of the conviction, including a conviction in magistrate or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

~~—(D) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.~~

—(D) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), or during the ten-year period as provided in subsection (C), the circuit court may issue an order expunging the records including any associated bench warrant.

—(E) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act,

or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

~~(E)~~(F) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

~~(G)~~(F) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the charges have been pending for more than five years, or more than ten years if the charge is pursuant to Section 56-5-2930(A) or Section 56-5-2933(A); however, this five-year or ten-year time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section.

SECTION X. Section 22-5-920 of the S.C. Code is amended to read:

Section 22-5-920. (A) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(B)(1) Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the defendant, who has not been convicted of any offense, including an out-of-state offense, but not including a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, while serving the youthful offender sentence, including probation and parole, and for a period of five years from the date of completion of the defendant's sentence, including probation and parole, may apply, or cause someone acting on the defendant's behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

(2) However, this section does not apply to:

(a) ~~an offense involving the operation of a motor vehicle;~~

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~~(b)~~ an offense classified as a violent crime in Section 16-1-60;
~~(e)~~ ~~(b)~~ an offense contained in Chapter 25, Title 16, except as otherwise provided in Section 16-25-30; or
~~(d)~~ ~~(c)~~ an offense for which the individual is required to register in accordance with the South Carolina Sex Offender Registry Act.

(3) If the defendant has had no other conviction, to include out-of-state convictions, but to not include a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, during the service of the youthful offender sentence, including probation and parole, and during the five-year period following completion of the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have the person's record expunged pursuant to the provisions of this section; however, a person who was convicted prior to June 2, 2010, and was a youthful offender as that term is defined in Section 24-19-10(d) is eligible to have his record expunged pursuant to the provisions of this section.

(C) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of its expungement to ensure that no person takes advantage of the rights permitted by this section more than once. This nonpublic record is not subject to release under Section 34-11-95, the Freedom of Information Act, or another provision of law, except to those authorized law enforcement or court officials who need this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

Amend the bill further, by striking SECTION 29 and inserting:

SECTION 29. This act takes effect ~~upon~~ one year after approval by the Governor, ~~except for SECTIONS 6, 8, 9, 10, 11, 13, 16, and 17, which take effect on December 31, 2026.~~

Re-number sections to conform.

Amend title to conform.

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Rep. ROBBINS explained the amendment.

Rep. ROBBINS moved to table the amendment, which was agreed to.

Reps. J.E. JOHNSON and ROBBINS proposed the following Amendment No. 2 to S. 52 (LC-52.AHB0002H):

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2930(C) and (H) and inserting:

(C) ~~The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that occurred while the person was driving in violation of this section, and resulted in bodily injury is guilty of the offense of driving under the influence, third degree, and, upon conviction, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24 including, but not limited to, reasonable access to all documents relating to the investigation. Reserved.~~

(H) ~~A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services, Office of Substance Use Services. The judge must order participation in a DUI victim impact panel including, but not limited to, one operated by an IRS classified 501(c)(3) nonprofit organization approved by the Office of Substance Use Services, which may include online victim impact panels that may be attended in person or online if approved by the office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026. An assessment of the extent and nature of the alcohol and drug~~

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abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is considered enrolled after successful submission of his application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services~~Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred~~ one thousand dollars for education services, ~~two four~~ four thousand dollars for treatment services, and ~~two thousand five hundred~~ five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. ~~The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Amend the bill further, by deleting SECTION 2 from the bill.

Amend the bill further, SECTION 3, by striking Section 56-5-2933(C) and (H) and inserting:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while driving a vehicle while his alcohol concentration is eight one hundredths of one percent or more and while driving a vehicle did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that resulted in bodily~~

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~~injury and occurred while the person was driving in violation of this section, is guilty of the offense of driving with an unlawful alcohol concentration, third degree, and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished by a fine not less than two thousand one hundred dollars nor more than five thousand one hundred dollars and imprisonment not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24, including but not limited to, reasonable access to all documents relating to the investigation. Reserved.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services, ~~and the~~ The judge must order participation in a DUI victim impact panel ~~including, but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the Office of Substance Use Services, which may include online victim impact panels~~ that may be attended in person or online if approved by the office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is to be considered enrolled after successful submission of his application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ one thousand dollars for education services, ~~two four thousand~~ two thousand dollars for treatment services, and ~~two thousand five hundred five thousand~~ two thousand five hundred dollars in total for all services for each certified Alcohol and Drug Safety Action Program. ~~The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics,~~

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~~Consumer Price Index for South Carolina after 2026. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy five dollars subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Amend the bill further, by deleting SECTIONS 4 and 5 from the bill.

Amend the bill further, SECTION 6, by striking Section 56-5-2941(A)(1) and inserting:

(1) The Department of Motor Vehicles shall require a person who is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or who is issued a temporary alcohol license pursuant to Section 56-1-286 or 56-5-2951, to have installed on any motor vehicle the person drives, except a moped or motorcycle, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This requirement shall not apply to a person who submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of ~~.00~~less than five one-hundredths of one percent.

Amend the bill further, SECTION 6, by striking Section 56-5-2941(A)(5) and inserting:

(5) Nothing in this section shall be construed to require installation of an ignition interlock device until the suspension is upheld at a contested case hearing or the contested hearing is waived.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-5-2941(Q) of the S.C. Code is amended to

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read:

(Q) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. Manufacturers of ignition interlock devices shall apply to the Department of Probation, Parole and Pardon Services for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. The Department of Probation, Parole and Pardon Services may charge an initial annual fee on the manufacturer's application for certification of each device, and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. This fee shall be remitted to the Ignition Interlock Device Fund for use by the Department of Probation, Parole and Pardon Services in support of the Ignition Interlock Device Program.

(2) All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(3) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by

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the manufacturer of the noncertified device.

(4) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(5) A person from another state subject to an ignition interlock device requirement of this State may satisfy the ignition interlock requirement by installing a device in any other state so long as the out-of-state ignition interlock installer is certified by the Department of Probation, Parole and Pardon Services. The person shall comply with all provisions of this section except that the person shall not be required to have the device installed or inspected in South Carolina or obtain a South Carolina ignition interlock restricted license. The person's privilege to drive in South Carolina shall not be suspended so long as the person from another state is otherwise in compliance with this section.

Amend the bill further, SECTION 8, by striking Section 56-5-2945(A) and inserting:

(A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes moderate bodily injury to another person ~~or damage to real or personal property of another valued at over twenty-five thousand dollars,~~ is guilty of the offense of felony driving under the influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than three thousand dollars nor more than six thousand dollars and mandatory imprisonment for not less than ninety days nor more than ~~ten~~five years.

Amend the bill further, SECTION 9, by striking Section 56-5-2947(D)(1) and inserting:

(1) In addition to imposing the penalties for offenses listed in subsection (A)(1) and the penalties contained in subsection (B), the Department of Motor Vehicles shall suspend the person's driver's license for sixty days upon conviction under subsection (A)(1)(a). Upon conviction under subsection (A)(1)(b) through ~~(e)~~(f), the Department of Motor Vehicles shall suspend the person's driver's license.

Amend the bill further, by striking SECTION 10 and inserting:

SECTION X. Section 56-5-2950 of the S.C. Code is amended to read:

Section 56-5-2950. (A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's

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breath,~~or~~ blood,~~or urine~~ for the purpose of determining the presence of alcohol, drugs, or the combination of alcohol and drugs, if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs. At the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. If the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel, the arresting officer may request a blood sample to be taken. If the officer has ~~reasonable suspicion~~probable cause that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may ~~order~~request that a ~~urine~~blood sample be taken for testing. Probable cause for blood testing may only arise if the determination is made by an officer who is a certified Drug Recognition Expert. A breath sample taken for testing must be collected within two hours of the arrest. Any additional tests to collect other samples must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, an eight one-hundredths of one percent simulator test must be performed and the result must reflect a reading between 0.076 percent and 0.084 percent. Blood~~and urine~~ samples must be obtained by physicians licensed by the State Board of Medical Examiners, registered nurses licensed by the State Board of Nursing, and other medical personnel trained to obtain the samples in a licensed medical facility. Blood~~and urine~~ samples must be obtained and handled in accordance with procedures approved by SLED.

(B) No tests may be administered or samples obtained unless, upon activation of the video recording equipment and prior to the commencement of the testing procedure, the person has been given a written copy of and verbally informed that:

(1) the person does not have to take the test or give the samples, but that the person's privilege to drive must be suspended or denied for at least ~~six~~nine months with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person refuses to submit to the test, and that the person's refusal may be used

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against the person in court;

(2) the person's privilege to drive must be suspended for at least ~~one month~~ three months with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person takes the test or gives the samples and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(3) the person has the right to have a qualified person of the person's own choosing conduct additional independent tests at the person's expense;

(4) the person has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension; and

(5) if the person does not request a contested case hearing or if the person's suspension is upheld at the contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(C) A hospital, physician, qualified technician, chemist, or registered nurse who obtains the samples or conducts the test or participates in the process of obtaining the samples or conducting the test in accordance with this section is not subject to a cause of action for assault, battery, or another cause alleging that the drawing of blood or taking samples at the request of the arrested person or a law enforcement officer was wrongful. This release from liability does not reduce the standard of medical care required of the person obtaining the samples or conducting the test. This qualified release also applies to the employer of the person who conducts the test or obtains the samples. If the arresting officer serves a valid search warrant for the collection of samples pursuant to this section on a licensed medical facility, then the facility must comply with the warrant.

(D) The person tested or giving samples for testing may have a qualified person of the person's own choosing conduct additional tests at the person's expense and must be notified in writing of that right. A person's request or failure to request additional blood-~~or urine~~ tests is not admissible against the person in the criminal trial. The failure or inability of the person tested to obtain additional tests does not preclude the admission of evidence relating to the tests or samples obtained at the direction of the law enforcement officer.

(E) The arresting officer shall provide affirmative assistance to the person to contact a qualified person to conduct and obtain additional tests. Affirmative assistance, at a minimum, includes providing transportation for the person to the nearest medical facility which performs blood tests to determine a person's alcohol concentration. If the medical facility obtains the blood sample but refuses or fails to test the

blood sample to determine the person's alcohol concentration, SLED shall test the blood sample and provide the result to the person and to the arresting officer. Failure to provide affirmative assistance upon request to obtain additional tests bars the admissibility of the breath test result in a judicial or administrative proceeding.

SLED shall administer the provisions of this subsection and shall make regulations necessary to carry out this subsection's provisions. The costs of the tests administered at the direction of the law enforcement officer must be paid from the state's general fund. However, if the person is subsequently convicted of violating Section 56-5-2930, 56-5-2933, or 56-5-2945, then, upon conviction, the person shall pay twenty-five dollars for the costs of the tests. The twenty-five dollars must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(F) A qualified person who obtains samples or administers the tests or assists in obtaining samples or the administration of tests at the direction of a law enforcement officer is released from civil and criminal liability unless the obtaining of samples or tests is performed in a negligent, reckless, or fraudulent manner. ~~No person may be required by the arresting officer, or by another law enforcement officer, to obtain or take any sample of blood or urine.~~

(G) In the criminal prosecution for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 the alcohol concentration at the time of the test, as shown by chemical analysis of the person's breath or other body fluids, gives rise to the following:

(1) if the alcohol concentration was at that time five one-hundredths of one percent or less, it is conclusively presumed that the person was not under the influence of alcohol;

(2) if the alcohol concentration was at that time in excess of five one-hundredths of one percent but less than eight one-hundredths of one percent, this fact does not give rise to any inference that the person was or was not under the influence of alcohol, but this fact may be considered with other evidence in determining the guilt or innocence of the person; or

(3) if the alcohol concentration was at that time eight one-hundredths of one percent or more, it may be inferred that the person was under the influence of alcohol.

The provisions of this section must not be construed as limiting the introduction of any other evidence bearing upon the question of whether

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or not the person was under the influence of alcohol, drugs, or a combination of alcohol and drugs.

(H) A person who is unconscious or otherwise in a condition rendering the person incapable of refusal is considered to be informed and not to have withdrawn the consent provided by subsection (A) of this section.

(I) A person required to submit to tests by the arresting law enforcement officer must be provided with a written report including the time of arrest, the time of the tests, and the results of the tests before any trial or other proceeding in which the results of the tests are used as evidence. A person who obtains additional tests shall furnish a copy of the time, method, and results of such tests to the officer before a trial, hearing, or other proceeding in which the person attempts to use the results of the additional tests as evidence.

(J) Policies, procedures, and regulations promulgated by SLED may be reviewed by the trial judge or hearing officer on motion of either party. The failure to follow policies, procedures, and regulations, or the provisions of this section, shall result in the exclusion from evidence of any test results, if the trial judge or hearing officer finds that this failure materially affected the accuracy or reliability of the test results or the fairness of the testing procedure and the court trial judge or hearing officer rules specifically as to the manner in which the failure materially affected the accuracy or reliability of the test results or the fairness of the procedure.

(K) If a state employee charged with the maintenance of breath testing devices in this State and the administration of breath testing policy is required to testify at a contested case hearing or court proceeding, the entity employing the witness may charge a reasonable fee to the defendant for such services.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(B)(1)(c) and inserting:

(c) obtain a temporary alcohol license ~~with an ignition interlock device restriction pursuant to Section 56-1-400~~ from the Department of Motor Vehicles. Notwithstanding another provision of law, a person who is charged with an offense contained in subsection (A) and it is a second or subsequent offenses as defined in subsection (I)(2) must enroll in the Ignition interlock Device Program pending the outcome of the contested case hearing. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. ~~If a final disposition of the~~

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~~matter has not occurred within ninety days of the request of the contested case hearing, the Department of Motor Vehicles shall remove the ignition interlock device restriction pending the final disposition of the contested case hearing. If the person asks for a continuance which delays the hearing, the ignition interlock device restriction shall be extended for an additional ninety days.~~ Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section, or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person pursuant to subsection (H).

(d) Failure by the person to submit the notice of suspension with a hearing request under this section and Section 56-5-2951 shall not prevent the Office of Motor Vehicle Hearings from scheduling a hearing if the person submits with a written hearing request an affidavit of the person stating:

(i) the date of the offense;

(ii) the person's name and driver's license number and state of origin;

(iii) the reason why the notice of suspension was not available for submission; and

(iv) the name of the agency, arresting officer, and county of arrest.

(e) The administrative hearing officer may not sustain a suspension solely on the basis that the person lost the notice of suspension or if the person did not receive the notice of suspension from the arresting officer. A person who complies with this section may obtain a temporary alcohol license pursuant to Section 56-5-2951(B).

Amend the bill further, SECTION 11, by striking Section 56-5-2951(E)(2) and inserting:

(2) Following the advisement, the arresting officer must

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electronically submit the notice to the Department of Motor Vehicles. The suspension begins upon the ~~electronic submission~~ issuance of the notice of suspension to the person arrested. The arresting officer is not required to confiscate the person's driver's license. The person is not required to return the license to the Department of Motor Vehicles.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(F)(3) and inserting:

(3) A written order must be issued to all parties either reversing or upholding the suspension of the person's license, permit, or nonresident's operating privilege, or denying the issuance of a license or permit. If the suspension is upheld, the person must receive credit for the number of days the person's license was suspended before the person received a temporary alcohol license and requested the contested case hearing and must receive credit for the number of days, ~~if any, the person maintained an ignition interlock restriction on the temporary alcohol license,~~ if any, the person maintained an ignition interlock restriction on the temporary alcohol license.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(I)(1)(a) and (b) and inserting:

(a) ~~six months~~ one year nine months for a person who refuses to submit to a test pursuant to Section 56-5-2950; or

(b) ~~one month two~~ three months for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(I)(2)(a), (b), and (c) and inserting:

(a) for a second offense, ~~nine months two years~~ one year if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~two four~~ six months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, ~~twelve months three~~ two years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~three six~~ nine months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more; and

(c) for a fourth or subsequent offense, ~~fifteen months four~~ three years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~four eight months~~ one year if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

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Amend the bill further, by striking SECTION 12 and inserting:

SECTION X. Section 56-5-2953 of the S.C. Code is amended to read:

Section 56-5-2953. (A) A person who violates Section 56-5-2930, 56-5-2933, or 56-5-2945 must have his conduct ~~at the incident site and the breath test site~~ video recorded.

(1)(a) ~~The video~~ Video recording ~~at the incident site~~ must:

(i) not begin later than the activation of the officer's blue lights;

(ii) include any field sobriety tests or drug recognition examinations administered; and

(iii) include the arrest of a person for a violation of Section 56-5-2930 or Section 56-5-2933, or a probable cause determination in that the person violated Section 56-5-2945, and ~~show~~reasonably document the person being advised of his Miranda rights.

(b) A refusal to take a field sobriety test does not constitute disobeying a police command.

(2) The video recording at the ~~breath~~ test site must:

(a) include the entire ~~breath~~ test procedure, the person being informed that he is being video recorded, and that he has the right to refuse the test;

(b) include the person taking or refusing the ~~breath~~ test and the actions of the breath test operator or sample collector while conducting the test; and

(c) also include the person's conduct during the required twenty-minute ~~pre test~~ pre-breath test waiting period if a breath test is administered, unless the officer submits a sworn affidavit certifying that it was physically impossible to video record this waiting period.

(3) The video recordings of the incident site, and of the breath test site, are admissible pursuant to the South Carolina Rules of Evidence in a criminal, administrative, or civil proceeding by any party to the action.

(B) (1) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. Failure by the arresting officer to produce the video recording required by this section is not alone a ground for dismissal of any charge made pursuant to Section 56-5-2930, 56-5-2933, or 56-5-2945 if the arresting officer submits a sworn affidavit certifying that the video recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable

condition, and certifying that there was no other operable breath test facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, road blocks, traffic accident investigations, and citizens' arrests, where an arrest has been made and the video recording equipment has not been activated by blue lights, the failure by the arresting officer to produce the video recordings required by this section is not alone a ground for dismissal. However, ~~as soon as video recording is practicable in these circumstances~~, video recording must begin as soon as practicable and thereafter must conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the video recording based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer's failure to produce the video recording.

(2) The court must view all relevant portions of any video recordings before making any ruling under this section.

(C) A video recording must not be disposed of in any manner except for its transfer to a master recording for consolidation purposes until the results of any legal proceeding in which it may be involved are finally determined.

(D) SLED is responsible for purchasing, maintaining, and supplying all necessary video recording equipment for use at the breath test sites. SLED also is responsible for monitoring all breath test sites to ensure the proper maintenance of video recording equipment. The Department of Public Safety is responsible for purchasing, maintaining, and supplying all videotaping equipment for use in all law enforcement vehicles used for traffic enforcement. The Department of Public Safety also is responsible for monitoring all law enforcement vehicles used for traffic enforcement to ensure proper maintenance of video recording equipment.

(E) Beginning one month from the effective date of this section, all of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to equip all breath test sites with video recording devices and supplies. Once all breath test sites have been equipped fully with video recording devices and supplies, eighty-seven and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by the Department of Public Safety to purchase,

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maintain, and supply video recording equipment for vehicles used for traffic enforcement. The remaining twelve and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to purchase, maintain, and supply video recording equipment for the breath test sites. Funds must be distributed by the State Treasurer to the Department of Public Safety and SLED on a monthly basis. The Department of Public Safety and SLED are authorized to carry forward any unexpended funds received in accordance with Section 14-1-208(C)(9) as of June thirtieth of each year and to expend these carried forward funds for the purchase, maintenance, and supply of video recording equipment. The Department of Public Safety and SLED must report the revenue received under this section and the expenditures for which the revenue was used as required in the department's and SLED's annual appropriation request to the General Assembly.

(F) The Department of Public Safety and SLED must promulgate regulations necessary to implement the provisions of this section.

(G) The provisions contained in Section 56-5-2953(A), (B), and (C) take effect for each law enforcement vehicle used for traffic enforcement once the law enforcement vehicle is equipped with a video recording device. The provisions contained in Section 56-5-2953(A), (B), and (C) take effect for a breath test site once the breath test site is equipped with a video recording device.

Amend the bill further, SECTION 13, by deleting Section 56-5-2920(E) from the bill.

Amend the bill further, SECTION 14, by striking Section 56-5-2960(A) and inserting:

(A) As used in this section:

~~— (1) “disabled” means a legal disability as is measured by functional incapacities; and includes incapacities caused by psychological, psychiatric, or stress-related trauma, and refers to any person seventeen years of age or older who is unable to make informed decisions with respect to his or her personal affairs to the extent that he or she lacks the capacity to provide for his or her physical health and safety or the physical health and safety of a minor child including, but not limited to, healthcare, food, shelter, clothing, or personal hygiene; and~~

~~— (2) “totally and permanently disabled” means the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; and includes a finding of permanent total~~

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disability by the Social Security Administration that a person is disabled and qualifies for benefits or a finding by an administrative law judge.

Amend the bill further, SECTION 14, by striking Section 56-5-2960(B)(1) and inserting:

(B)(1) If a defendant is convicted of a violation of Section 56-5-2945(B) and the violation caused the death of a parent or guardian of a minor child or dependent or resulted in a finding by the court that a parent or guardian of a minor child or dependent is ~~disabled or~~ totally and permanently disabled, then the sentencing court may order the defendant to pay restitution in the form of financial support for the child or dependent to each child or dependent of the victim for the duration of any probationary sentence and/or community supervision until the child or dependent reaches eighteen years of age, or nineteen years of age if the child or dependent is still enrolled in high school.

Amend the bill further, SECTION 14, by striking Section 56-5-2960(C)(2) and inserting:

(2) If the court orders the defendant to pay restitution to financially support the child or dependent under this section and the surviving parent or guardian subsequently brings a civil action and obtains a judgment or satisfaction of damages, the restitution order shall be offset by the amount of the judgment awarded or satisfaction of damages and paid by the defendant or the defendant's insurance for lost wages or permanent impairment of the power to work and earn money in the civil action.

Amend the bill further, SECTION 15, by striking Section 56-5-2990(C) and inserting:

(C) The Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each person shall bear the cost of services recommended in the person's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ dollars for education services, ~~two four thousand~~ dollars for treatment services, and ~~two thousand five hundred five thousand~~ dollars in total for all services. No person may be denied services due to an inability to pay. ~~The cost for the Alcohol and Drug Safety Action Program is subject to the annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ Inability to pay for services may not be used as a factor in determining if the person has successfully completed services. A person who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action

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Program, which may use the completion of this community service as a factor in determining if the person has successfully completed services. The Office of Substance Use Services shall report annually to the House Ways and Means Committee and Senate Finance Committee on the number of first and multiple offenders completing the Alcohol and Drug Safety Action Program, the amount of fees collected and expenses incurred by each Alcohol and Drug Safety Action Program, and the number of community service hours performed in lieu of payment.

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(1)(c) and inserting:

(c) obtain a temporary alcohol license ~~with an ignition interlock restriction pursuant to Section 56-1-400~~ from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee must be distributed to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive a motor vehicle pending the outcome of the contested case hearing provided for in this section or the final decision or disposition of the matter.

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(2) and inserting:

~~(2) The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, then the person can obtain a temporary alcohol license without an ignition interlock restriction.~~

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(3) and inserting:

~~(3)~~(2) At the contested case hearing, if:

(a) the suspension is upheld, the person shall enroll in an Alcohol and Drug Safety Action Program and the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension periods provided for in subsections (F) and (G); ~~and~~ or

~~(b) the person must enroll in the Ignition Device Program pursuant to Section 56-5-2941~~ the suspension is overturned, the person's

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driver's license, permit, or nonresident operating privilege must be reinstated.

Amend the bill further, by deleting SECTIONS 17 and 18 from the bill.

Amend the bill further, by striking SECTION 23 and inserting:

SECTION 23. Beginning on July 31, 2027, the Office of Court Administration shall submit an annual report to the House and Senate Judiciary Committees ~~and to the Judicial Merit Selection Commission~~ on the number of driving under the influence violations charged pursuant to Section 56-5-2930, the number of driving with an unlawful alcohol concentration violations charged pursuant to Section 56-5-2933, and the number of felony driving under the influence violations charged pursuant to Section 56-5-2945, for the preceding fiscal year. The report must include the disposition, the circuit in which the disposition occurred, ~~and the name of the judge presiding over the case.~~

Amend the bill further, SECTION 24, by striking Section 16-1-60 and inserting:

Section 16-1-60. ~~(A)~~—For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16-3-10); attempted murder (Section 16-3-29); assault and battery by mob, first degree, resulting in death (Section 16-3-210(B)), criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653); criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656); assault and battery with intent to kill (Section 16-3-620); assault and battery of a high and aggravated nature (Section 16-3-600(B)); kidnapping (Section 16-3-910); trafficking in persons (Section 16-3-2020); voluntary manslaughter (Section 16-3-50); armed robbery (Section 16-11-330(A)); attempted armed robbery (Section 16-11-330(B)); carjacking (Section 16-3-1075); drug trafficking as defined in Section 44-53-370(e) or trafficking cocaine base as defined in Section 44-53-375(C); manufacturing or trafficking methamphetamine as defined in Section 44-53-375; arson in the first degree (Section 16-11-110(A)); arson in the second degree (Section 16-11-110(B)); burglary in the first degree (Section 16-11-311); burglary in the second degree (Section 16-11-312(B)); engaging a child for a sexual performance (Section 16-3-810); homicide by child abuse (Section 16-3-85(A)(1)); aiding and abetting homicide by child abuse (Section 16-3-85(A)(2)); inflicting great bodily injury upon a child (Section 16-3-95(A)); allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B)); domestic violence of

a high and aggravated nature (Section 16-25-65); domestic violence in the first degree (Section 16-25-20(B)); abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43-35-85(E)); taking of a hostage by an inmate (Section 24-13-450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10-11-325(B)(1)); spousal sexual battery (Section 16-3-615); producing, directing, or promoting sexual performance by a child (Section 16-3-820); sexual exploitation of a minor first degree (Section 16-15-395); sexual exploitation of a minor second degree (Section 16-15-405); promoting prostitution of a minor (Section 16-15-415); participating in prostitution of a minor (Section 16-15-425); aggravated voyeurism (Section 16-17-470(C)); detonating a destructive device resulting in death with malice (Section 16-23-720(A)(1)); detonating a destructive device resulting in death without malice (Section 16-23-720(A)(2)); boating under the influence resulting in death (Section 50-21-113(A)(2)); vessel operator's failure to render assistance resulting in death (Section 50-21-130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55-1-30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2)); interference with traffic-control devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3)); hit and run resulting in death (Section 56-5-1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(B)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57-7-20(D)); obstruction of a railroad resulting in death (Section 58-17-4090); accessory before the fact to commit any of the above offenses (Section 16-1-40); and attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses.

~~—(B) At the time of sentencing for a conviction of Section 50-21-113(A)(2) or Section 56-5-2945(B)(2), the judge may suspend the designation of violent offense and must include findings on the record documenting the departure from Section 16-1-60(A) for this conviction. The Department of Corrections may allow the person to participate in work programs, education, and rehabilitation that he would not otherwise be eligible for due to the conviction for Section 50-21-113(A)(2) or Section 56-5-2945(B)(2). However, the person shall not accumulate credit for time for his participation. The judge may not order a departure if the person has additional convictions before the judge that~~

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~~are violent offenses. For a person serving an active sentence as of the effective date of this subsection, the person may petition the circuit court where the conviction occurred to remove the designation of violent offense from his record, provided the victim's family consents and the only violent offense on his record is Section 50-21-113(A)(2) or Section 56-5-2945(B)(2). The person must petition the court prior to his release.~~

Amend the bill further, by striking SECTION 25 and inserting:

SECTION X. The Office of Substance Use Services and the Department of Motor Vehicles shall each conduct a study on the feasibility and costs of the creation of education materials that emphasize the impact of driving privileges and other consequences resulting from driving under the influence and driving while distracted. The Office and Department may consider the structure and curriculum of victim impact panels when considering feasibility. The feasibility and costs associated with video material that is between thirty minutes and one hour in length must be considered. These materials would be designed for teenage drivers and recommended as components of the driver's education requirements found in Section 56-1-175 and Section 56-1-180. To the extent able, the reports must include findings of whether such materials, video or otherwise, would have a benefit on public safety, and whether any requirements should be imposed on all applicants for driver's licenses or only those of a particular age. The Office of Substance Use Services and the Department of Motor Vehicles must issue reports on their findings to the President of the Senate, the Speaker of the House, and the Governor no later than June 30, 2027.

SECTION X.A. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. ~~However, this section does not apply to an offense involving the operation of a motor vehicle.~~

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions

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court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) Following a conviction for driving under the influence pursuant to Section 56-5-2930(A) or driving with an unlawful alcohol concentration pursuant to 56-5-2933(A), the defendant after ten years from the offense date of the conviction, including a conviction in magistrate or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

~~(C)~~(D) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), or during the ten-year period as provided in subsection (C), the circuit court may issue an order expunging the records including any associated bench warrant.

~~(D)~~(E) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

~~(E)~~(F) As used in this section, "conviction" includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

~~(F)~~(G) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the charges have been pending for more than five years; or more than ten years if the charge is pursuant to Section 56-5-2930(A) or Section 56-5-2933(A), however, this five-year, or ten-year, time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date

of this section.

B. Section 22-5-920 of the S.C. Code is amended to read:

Section 22-5-920. (A) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(B)(1) Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the defendant, who has not been convicted of any offense, including an out-of-state offense, but not including a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, while serving the youthful offender sentence, including probation and parole, and for a period of five years from the date of completion of the defendant's sentence, including probation and parole, may apply, or cause someone acting on the defendant's behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

(2) However, this section does not apply to:

~~— (a) an offense involving the operation of a motor vehicle;~~

~~(b)~~(a) an offense classified as a violent crime in Section 16-1-60;

~~(e)~~(b) an offense contained in Chapter 25, Title 16, except as otherwise provided in Section 16-25-30; or

~~(d)~~(c) an offense for which the individual is required to register in accordance with the South Carolina Sex Offender Registry Act.

(3) If the defendant has had no other conviction, to include out-of-state convictions, but to not include a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, during the service of the youthful offender sentence, including probation and parole, and during the five-year period following completion of the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section. A person

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eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have the person's record expunged pursuant to the provisions of this section; however, a person who was convicted prior to June 2, 2010, and was a youthful offender as that term is defined in Section 24-19-10(d) is eligible to have his record expunged pursuant to the provisions of this section.

(C) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of its expungement to ensure that no person takes advantage of the rights permitted by this section more than once. This nonpublic record is not subject to release under Section 34-11-95, the Freedom of Information Act, or another provision of law, except to those authorized law enforcement or court officials who need this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

Amend the bill further, by striking SECTION 29 and inserting:

SECTION 29. This act takes effect ~~upon~~ one year after approval by the Governor, ~~except for SECTIONS 6, 8, 9, 10, 11, 13, 16, and 17, which take effect on December 31, 2026.~~

Renumber sections to conform.

Amend title to conform.

Rep. ROBBINS explained the amendment.

Rep. ROBBINS spoke in favor of the amendment.

Rep. BAMBERG spoke upon the amendment.

Further proceedings were interrupted by the time expiring on the uncontested calendar, the pending question being the consideration of Amendment No. 2.

RECURRENCE TO THE MORNING HOUR

Rep. ROBBINS moved that the House recur to the morning hour, which was agreed to.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C.

Mr. Speaker and Members of the House:

[HJ]

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The Senate respectfully informs your Honorable Body that it has appointed Senators Massey, Johnson and Ott to the Committee of Conference on the part of the Senate on H. 3924:

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M. M. Smith, Pedalino, C. Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B. J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

Very Respectfully,

President

Received as information.

REPORT OF STANDING COMMITTEE

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 1125 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SANTEE ROAD IN WILLIAMSBURG COUNTY FROM JUNE BRANCH CREEK TO ITS INTERSECTION WITH CHARLESTON ROAD "TYRONE A. BURROUGHS ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

S. 851--DEBATE ADJOURNED

The following Bill was taken up:

S. 851 -- Senators Alexander, Young and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 34-3-900 SO AS TO DEFINE TERMS PERTAINING TO THE FINANCIAL EXPLOITATION OF AN ELIGIBLE ADULT AND TO OUTLINE A PROCEDURE FOR ESTABLISHING EMERGENCY CONTACTS FOR AN ELIGIBLE ADULT TO

[HJ]

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PROTECT THE ELIGIBLE ADULT FROM FINANCIAL EXPLOITATION.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 196--DEBATE ADJOURNED

The following Bill was taken up:

S. 196 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 91 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS, EXEMPTIONS, AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE, PROVIDE EXEMPTIONS FOR EXAMINATION, REQUIRE CONTINUING EDUCATION, ESTABLISH A PROCESS FOR RENEWAL, SET STANDARDS OF CONDUCT FOR ADJUSTERS, AND TO PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE AND PENALTIES, AMONG OTHER THINGS; BY ADDING CHAPTER 92 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE AND PROVIDE EXEMPTIONS TO EXAMINATION, PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE, REQUIRE A BOND OR LETTER OF CREDIT, REQUIRE CONTINUING EDUCATION, ALLOW FOR FEES, AND SET STANDARDS OF CONDUCT FOR PUBLIC ADJUSTERS, AMONG OTHER THINGS; TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION; AND BY REPEALING CHAPTERS 47 AND 48 OF TITLE 38.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 697--DEBATE ADJOURNED

The following Bill was taken up:

S. 697 -- Senator Gambrell: A BILL TO TRANSFER THE SOUTH CAROLINA 211 NETWORK TO THE DEPARTMENT OF CONSUMER AFFAIRS; TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 37-6-515 SO AS TO

[HJ]

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CREATE THE SOUTH CAROLINA 211 NETWORK WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY AMENDING SECTION 1-11-770, RELATING TO THE SOUTH CAROLINA 211 NETWORK, SO AS TO MAKE CONFORMING CHANGES.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 325--DEBATE ADJOURNED

The following Bill was taken up:

S. 325 -- Senators Massey, Alexander, Walker and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF CONSUMER AFFAIRS TO THE DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY ADDING SECTION 1-30-145 SO AS TO PROVIDE FOR THE TRANSITION OF THE DEPARTMENT OF CONSUMER AFFAIRS TO THE EXECUTIVE BRANCH OF STATE GOVERNMENT; BY AMENDING SECTION 37-6-103, RELATING TO THE DEFINITION OF "ADMINISTRATOR," SO AS TO PROVIDE THAT THE ADMINISTRATOR IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTIONS 37-6-104(6), 37-6-117(I), 37-6-501 THROUGH 510, 37-6-602, AND 37-6-604(B), ALL RELATING TO FUNCTIONS AND DUTIES OF THE COMMISSION ON CONSUMER AFFAIRS, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION ON CONSUMER AFFAIRS TO BE REPLACED WITH AN ADMINISTRATOR AS THE HEAD OF THE DEPARTMENT.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 163--DEBATE ADJOURNED

The following Bill was taken up:

S. 163 -- Senators Verdin and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 47 TO TITLE 34 SO AS TO PROHIBIT A GOVERNING AUTHORITY FROM ACCEPTING OR REQUIRING PAYMENT USING

[HJ]

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CENTRAL BANK DIGITAL CURRENCY OR PARTICIPATING IN A TEST OF CENTRAL BANK DIGITAL CURRENCY; TO PERMIT INDIVIDUALS OR BUSINESSES USING DIGITAL CURRENCY FOR TRANSACTIONS; TO PROVIDE THAT DIGITAL ASSETS MAY NOT BE SINGLED OUT FOR DISPARATE TAX TREATMENT; TO PROVIDE THAT DIGITAL CURRENCY TRANSACTION MAY BE TAXED IF THE TAXATION IS THE SAME AS IF THE TRANSACTION USED UNITED STATES LEGAL TENDER; TO PROVIDE THAT DIGITAL CURRENCY OPERATIONS MAY BE NOT BE SUBJECTED TO DISPARATE ZONING TREATMENT; TO PROVIDE THAT DIGITAL ASSET MINING BUSINESS OPERATIONS SHALL NOT PLACE ANY ADDITIONAL STRESS ON THE ELECTRICAL GRID FOR WHICH THEY ARE CONNECTED AND TO PROVIDE THAT DIGITAL MINING BUSINESSES MUST PROVIDE CERTAIN INFORMATION TO THE PUBLIC SERVICE COMMISSION UPON REQUEST; TO PROVIDE THAT THOSE ENGAGED IN DIGITAL MINING OPERATIONS DO NOT HAVE TO OBTAIN CERTAIN LICENSES AND THAT THOSE WHO PROVIDE CERTAIN SERVICES RELATED TO DIGITAL MINING OR STAKING ARE NOT OFFERING A SECURITY; TO PROVIDE THAT THE ATTORNEY GENERAL CAN PROSECUTE AN INDIVIDUAL WHO OR BUSINESS THAT FRAUDULENTLY CLAIM TO BE OFFERING DIGITAL ASSET MINING AS SERVICE OR STAKING AS A SERVICE; AND TO DEFINE NECESSARY TERMS.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 853--DEBATE ADJOURNED

The following Bill was taken up:

S. 853 -- Senators Davis, Hutto, Sutton, Graham, Turner, Stubbs, Matthews, Zell, Campsen, Kimbrell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-120, RELATING TO THE ABANDONED BUILDINGS REVITALIZATION ACT DEFINITIONS, SO AS TO CLARIFY THAT THE EXISTENCE OF AN INCOME-PRODUCING USE PRIOR TO THE PERIOD OF ABANDONMENT IS NOT A REQUIREMENT FOR ELIGIBILITY; BY AMENDING SECTION 12-67-130, RELATING TO APPLICABILITY, SO AS TO MAKE A

[HJ]

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CONFORMING CHANGE; BY AMENDING SECTION 12-67-140, RELATING TO ELIGIBILITY FOR THE CREDIT, SO AS TO CLARIFY CERTAIN TIMING CONSIDERATIONS RELATED TO THE FILING OF A NOTICE OF INTENT TO REHABILITATE AN ABANDONED BUILDING AND TO CLARIFY THAT ABANDONED BUILDING TAX CREDITS MAY NOT SERVE AS COLLATERAL FOR ANY DEBT; AND BY AMENDING SECTION 12-67-160, RELATING TO THE CERTIFICATION OF ABANDONED BUILDING SITES, SO AS TO REMOVE A REQUIREMENT FOR CERTAIN CERTIFICATIONS OF STATE-OWNED ABANDONED BUILDING SITES.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 439--DEBATE ADJOURNED

The following Bill was taken up:

S. 439 -- Senators Peeler, Turner, Davis, Bennett, Verdin, Alexander, Grooms, Kimbrell, Johnson, Jackson, Sutton, Cromer, Climer, Adams, Zell and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE THE MAXIMUM REIMBURSEMENT AMOUNT FOR THE EXEMPTION ON CERTAIN MANUFACTURING PROPERTY.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 863--DEBATE ADJOURNED

The following Bill was taken up:

S. 863 -- Senators Grooms, Cromer, Martin, Bennett, Rankin, Tedder, Sutton and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-103-15, RELATING TO THE STATE'S MISSION AND GOALS FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR AN APPLIED BACCALAUREATE IN CULINARY ARTS MANAGEMENT DEGREE FROM INSTITUTIONS THAT ARE PART OF THE STATE TECHNICAL AND COMPREHENSIVE EDUCATION SYSTEM; AND BY AMENDING SECTION 59-103-15, RELATING TO

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FUNDING FOR CERTAIN DEGREES, SO AS TO PROVIDE THAT APPLIED BACCALAUREATE IN CULINARY ARTS MANAGEMENT DEGREE PROGRAMS ARE ONLY ALLOWED IF STATE FUNDS ARE NOT APPROPRIATED TO FUND THE PROGRAMS.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 52--AMENDED AND ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 2:

S. 52 -- Senators Davis, Cash, Gambrell, Grooms, Jackson, Devine, Climer, Johnson, Adams, Turner, Kimbrell, Sutton, Blackmon, Williams, Alexander, Verdin, Garrett, Zell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2930, RELATING TO OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO AMEND THE PENALTY PROVISIONS TO PERMIT SENTENCES OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2933, RELATING TO DRIVING WITH UNLAWFUL ALCOHOL CONCENTRATIONS, SO AS TO PERMIT SENTENCES OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO DELETE THE PROVISION THAT PROVIDES NOTHING IN THE SECTION REQUIRES INSTALLATION OF IGNITION INTERLOCK DEVICES PRIOR TO CONTESTED CASE HEARINGS; BY AMENDING SECTION 56-5-2945, RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE, SO AS TO CREATE THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE SECOND DEGREE, ESTABLISH PENALTIES, AND DEFINE THE TERM "MODERATE BODILY INJURY"; BY AMENDING SECTION 56-5-2947, RELATING TO CHILD ENDANGERMENT, SO AS TO INCLUDE THE OFFENSES OF RECKLESS VEHICULAR HOMICIDE AND RECKLESS DRIVING AS VIOLATIONS SUBJECT TO A CHARGE OF CHILD

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ENDANGERMENT; BY AMENDING SECTION 56-5-2950, RELATING TO IMPLIED CONSENT TO TESTING FOR ALCOHOL OR DRUGS, SO AS TO REVISE THE CIRCUMSTANCES, PROCEDURES TO BE FOLLOWED, AND TEST SITES THAT CAN BE USED WHEN PERSONS ARE SUBJECTED TO TESTS FOR ALCOHOL OR DRUGS, TO PROVIDE THAT LABORATORY TECHNICIANS, PHLEBOTOMISTS, AND EMERGENCY MEDICAL TECHNICIANS MAY OBTAIN BLOOD OR URINE SAMPLES, TO REVISE THE PERIOD OF SUSPENSIONS OF DRIVING PRIVILEGES THAT MUST BE IMPOSED FOR FAILURE IF PERSONS REFUSE TO BE TESTED AND IF PERSONS HAVE CERTAIN ALCOHOL CONCENTRATIONS, TO REVISE THE PROVISION THAT ESTABLISHES ALCOHOL CONCENTRATIONS, AND TO DELETE THE PROVISION RELATING TO PERSONS INCAPABLE OF REFUSING TO CONSENT TO TESTS; BY AMENDING SECTION 56-5-2951, RELATING TO SUSPENSION OF LICENSES FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVELS OF ALCOHOL CONCENTRATIONS, SO AS TO PROVIDE THAT PERSONS ISSUED LICENSE SUSPENSIONS MAY INSTALL IGNITION INTERLOCK DEVICES WITHIN THIRTY DAYS AND OBTAIN TEMPORARY DRIVERS' LICENSES WITH IGNITION INTERLOCK RESTRICTIONS, AND TO PROVIDE THAT PERSONS WHO REFUSE TO SUBMIT TO CHEMICAL TESTS MUST HAVE THEIR DRIVERS' LICENSES SUSPENDED FOR ONE YEAR FOR A FIRST OFFENSE, AND TO PROVIDE INCREASED SUSPENSIONS FOR SUBSEQUENT OFFENSES, OR IF PERSONS TAKE THE TESTS AND REGISTER ALCOHOL CONCENTRATIONS OF OVER FIFTEEN ONE-HUNDREDTH OF ONE PERCENT OR MORE, THAT THEIR LICENSES ARE SUSPENDED FOR TWO MONTHS; BY AMENDING SECTION 56-5-2953, RELATING TO INCIDENT SITES AND BREATH TEST SITES FOR VIDEO RECORDING, SO AS TO PROVIDE THAT NOTHING IN THIS SECTION MAY BE CONSTRUED TO COMPEL OR AUTHORIZE A DISMISSAL OF A DUI OFFENSE IF THE OFFICERS SUBSTANTIALLY COMPLY WITH THE STATUTE AND THAT MOTIONS FOR SUPPRESSION OF EVIDENCE UNDER THE STATUTE MUST BE MADE PRIOR TO JEOPARDY ATTACHING; BY AMENDING SECTION 56-5-2920, RELATING TO RECKLESS DRIVING, SO AS TO CREATE THE OFFENSES OF FELONY RECKLESS DRIVING WITH GREAT BODILY INJURY

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AND RECKLESS DRIVING RESULTING IN MODERATE BODILY INJURY AND TO ESTABLISH PENALTIES; BY ADDING SECTION 56-5-2960 SO AS TO PROVIDE THAT PERSONS CONVICTED OF FELONY DRIVING UNDER THE INFLUENCE CAUSING THE DEATH OR DISABILITY OF PARENTS OR GUARDIANS MAY BE ORDERED TO PAY CHILD SUPPORT AS RESTITUTION FOR THE DURATION OF ANY PROBATION ORDERED, PERFORM COMMUNITY SERVICE, OR BOTH; BY AMENDING SECTION 56-1-286, RELATING TO THE SUSPENSION OF LICENSES OR PERMITS OR THE DENIAL OF ISSUANCE OF LICENSES OR PERMITS TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH CERTAIN ALCOHOL CONCENTRATIONS, SO AS TO PROVIDE THAT PERSONS ISSUED NOTICES OF SUSPENSIONS MAY OBTAIN TEMPORARY LICENSES WITH IGNITION INTERLOCK RESTRICTIONS; AND BY AMENDING SECTION 56-1-400, RELATING TO THE SURRENDER OF LICENSES, SO AS TO REMOVE THE PROVISION THAT NOTHING IN THIS SECTION REQUIRES PERSONS OBTAIN IGNITION INTERLOCKS UNLESS THE OFFENSES ARE ALCOHOL RELATED.

Reps. J.E. JOHNSON and ROBBINS proposed the following Amendment No. 2o S. 52 (LC-52.AHB0002H):

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2930(C) and (H) and inserting:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that occurred while the person was driving in violation of this section, and resulted in bodily injury is guilty of the offense of driving under the influence, third degree, and, upon conviction, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I,~~

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~~Section 24 including, but not limited to, reasonable access to all documents relating to the investigation. Reserved.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services. ~~The judge must order participation in a DUI victim impact panel including, but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the Office of Substance Use Services, which may include online victim impact panels that may be attended in person or online if approved by the office.~~ The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars ~~subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is considered enrolled after successful submission of his application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed ~~five hundred~~ one thousand dollars for education services, ~~two~~ four thousand dollars for treatment services, and ~~two thousand five hundred~~ five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. ~~The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant

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successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

Amend the bill further, by deleting SECTION 2 from the bill.

Amend the bill further, SECTION 3, by striking Section 56-5-2933(C) and (H) and inserting:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. A person who, while driving a vehicle while his alcohol concentration is eight one hundredths of one percent or more and while driving a vehicle did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately cause a collision that resulted in bodily injury and occurred while the person was driving in violation of this section, is guilty of the offense of driving with an unlawful alcohol concentration, third degree, and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished by a fine not less than two thousand one hundred dollars nor more than five thousand one hundred dollars and imprisonment not more than one year. A person who suffers a personal or financial injury because of a violation of the provisions of the section is considered the victim of the person convicted of the violation and must be afforded all rights enumerated in the Victim's Bill of Rights in the South Carolina Constitution, Article I, Section 24, including but not limited to, reasonable access to all documents relating to the investigation. Reserved.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the ~~Department of Alcohol and Other Drug Abuse Services~~ Office of Substance Use Services, and the The judge must order participation in a DUI victim impact panel including, but not limited to, one operated by an IRS-classified 501(c)(3) nonprofit organization approved by the Office of Substance Use Services, which may include online victim impact panels that may be attended in person or online if approved by the office. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the

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applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. A person is to be considered enrolled after successful submission of his application and payment of fees. ~~The Department of Alcohol and Other Drug Abuse Services Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred one thousand dollars for education services, two four thousand dollars for treatment services, and two thousand five hundred five thousand dollars in total for all services for each certified Alcohol and Drug Safety Action Program. ~~The cost for the Alcohol and Drug Safety Action Program is subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after 2026. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy five dollars subject to annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.~~

Amend the bill further, by deleting SECTIONS 4 and 5 from the bill.

Amend the bill further, SECTION 6, by striking Section 56-5-2941(A)(1) and inserting:

(1) The Department of Motor Vehicles shall require a person who is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor

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vehicle while under the influence of alcohol or other drugs, or who is issued a temporary alcohol license pursuant to Section 56-1-286 or 56-5-2951, to have installed on any motor vehicle the person drives, except a moped or motorcycle, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This requirement shall not apply to a person who submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of ~~.00~~ less than five one-hundredths of one percent.

Amend the bill further, SECTION 6, by striking Section 56-5-2941(A)(5) and inserting:

(5) Nothing in this section shall be construed to require installation of an ignition interlock device until the suspension is upheld at a contested case hearing or the contested hearing is waived.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-5-2941(Q) of the S.C. Code is amended to read:

(Q) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. Manufacturers of ignition interlock devices shall apply to the Department of Probation, Parole and Pardon Services for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. The Department of Probation, Parole and Pardon Services may charge an initial annual fee on the manufacturer's application for certification of each device, and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. This fee shall be remitted to the Ignition Interlock Device Fund for use by the Department of Probation, Parole and Pardon Services in support of the Ignition Interlock Device Program.

(2) All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock

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device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(3) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(4) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(5) A person from another state subject to an ignition interlock device requirement of this State may satisfy the ignition interlock requirement by installing a device in any other state so long as the out-of-state ignition interlock installer is certified by the Department of Probation, Parole and Pardon Services. The person shall comply with all provisions of this section except that the person shall not be required to have the device installed or inspected in South Carolina or obtain a South Carolina ignition interlock restricted license. The person's privilege to drive in South Carolina shall not be suspended so long as the person from another state is otherwise in compliance with this section.

Amend the bill further, SECTION 8, by striking Section 56-5-2945(A) and inserting:

(A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes moderate bodily injury to another person~~or damage to real or personal property of another valued at over twenty-five thousand dollars,~~ is guilty of the offense of felony driving under the

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influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than three thousand dollars nor more than six thousand dollars and mandatory imprisonment for not less than ninety days nor more than ~~ten~~five years.

Amend the bill further, SECTION 9, by striking Section 56-5-2947(D)(1) and inserting:

(1) In addition to imposing the penalties for offenses listed in subsection (A)(1) and the penalties contained in subsection (B), the Department of Motor Vehicles shall suspend the person's driver's license for sixty days upon conviction under subsection (A)(1)(a). Upon conviction under subsection (A)(1)(b) through ~~(d)~~(f), the Department of Motor Vehicles shall suspend the person's driver's license.

Amend the bill further, by striking SECTION 10 and inserting:

SECTION X. Section 56-5-2950 of the S.C. Code is amended to read:

Section 56-5-2950. (A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath,or blood,~~or urine~~ for the purpose of determining the presence of alcohol, drugs, or the combination of alcohol and drugs, if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs. At the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. If the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel, the arresting officer may request a blood sample to be taken. If the officer has ~~reasonable suspicion~~probable cause that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may ~~order~~request that a ~~urine~~blood sample be taken for testing. Probable cause for blood testing may only arise if the determination is made by an officer who is a certified Drug Recognition Expert. A breath sample taken for testing must be collected within two hours of the arrest. Any additional tests to collect other samples must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, an eight one-hundredths

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of one percent simulator test must be performed and the result must reflect a reading between 0.076 percent and 0.084 percent. Blood~~and urine~~ samples must be obtained by physicians licensed by the State Board of Medical Examiners, registered nurses licensed by the State Board of Nursing, and other medical personnel trained to obtain the samples in a licensed medical facility. Blood~~and urine~~ samples must be obtained and handled in accordance with procedures approved by SLED.

(B) No tests may be administered or samples obtained unless, upon activation of the video recording equipment and prior to the commencement of the testing procedure, the person has been given a written copy of and verbally informed that:

(1) the person does not have to take the test or give the samples, but that the person's privilege to drive must be suspended or denied for at least ~~six~~nine months with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person refuses to submit to the test, and that the person's refusal may be used against the person in court;

(2) the person's privilege to drive must be suspended for at least ~~one month~~three months with the option of ending the suspension if the person enrolls in the Ignition Interlock Device Program, if the person takes the test or gives the samples and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(3) the person has the right to have a qualified person of the person's own choosing conduct additional independent tests at the person's expense;

(4) the person has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension; and

(5) if the person does not request a contested case hearing or if the person's suspension is upheld at the contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(C) A hospital, physician, qualified technician, chemist, or registered nurse who obtains the samples or conducts the test or participates in the process of obtaining the samples or conducting the test in accordance with this section is not subject to a cause of action for assault, battery, or another cause alleging that the drawing of blood or taking samples at the request of the arrested person or a law enforcement officer was wrongful. This release from liability does not reduce the standard of medical care required of the person obtaining the samples or conducting the test. This qualified release also applies to the employer of the person who conducts the test or obtains the samples. If the arresting officer serves a valid search warrant for the collection of

samples pursuant to this section on a licensed medical facility, then the facility must comply with the warrant.

(D) The person tested or giving samples for testing may have a qualified person of the person's own choosing conduct additional tests at the person's expense and must be notified in writing of that right. A person's request or failure to request additional blood-~~or urine~~ tests is not admissible against the person in the criminal trial. The failure or inability of the person tested to obtain additional tests does not preclude the admission of evidence relating to the tests or samples obtained at the direction of the law enforcement officer.

(E) The arresting officer shall provide affirmative assistance to the person to contact a qualified person to conduct and obtain additional tests. Affirmative assistance, at a minimum, includes providing transportation for the person to the nearest medical facility which performs blood tests to determine a person's alcohol concentration. If the medical facility obtains the blood sample but refuses or fails to test the blood sample to determine the person's alcohol concentration, SLED shall test the blood sample and provide the result to the person and to the arresting officer. Failure to provide affirmative assistance upon request to obtain additional tests bars the admissibility of the breath test result in a judicial or administrative proceeding.

SLED shall administer the provisions of this subsection and shall make regulations necessary to carry out this subsection's provisions. The costs of the tests administered at the direction of the law enforcement officer must be paid from the state's general fund. However, if the person is subsequently convicted of violating Section 56-5-2930, 56-5-2933, or 56-5-2945, then, upon conviction, the person shall pay twenty-five dollars for the costs of the tests. The twenty-five dollars must be placed by the Comptroller General into a special restricted account to be used by the State Law Enforcement Division to offset the costs of administration of the breath testing devices, breath testing site video program, and toxicology laboratory.

(F) A qualified person who obtains samples or administers the tests or assists in obtaining samples or the administration of tests at the direction of a law enforcement officer is released from civil and criminal liability unless the obtaining of samples or tests is performed in a negligent, reckless, or fraudulent manner. ~~No person may be required by the arresting officer, or by another law enforcement officer, to obtain or take any sample of blood or urine.~~

(G) In the criminal prosecution for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 the alcohol concentration at the time of the test,

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as shown by chemical analysis of the person's breath or other body fluids, gives rise to the following:

(1) if the alcohol concentration was at that time five one-hundredths of one percent or less, it is conclusively presumed that the person was not under the influence of alcohol;

(2) if the alcohol concentration was at that time in excess of five one-hundredths of one percent but less than eight one-hundredths of one percent, this fact does not give rise to any inference that the person was or was not under the influence of alcohol, but this fact may be considered with other evidence in determining the guilt or innocence of the person; or

(3) if the alcohol concentration was at that time eight one-hundredths of one percent or more, it may be inferred that the person was under the influence of alcohol.

The provisions of this section must not be construed as limiting the introduction of any other evidence bearing upon the question of whether or not the person was under the influence of alcohol, drugs, or a combination of alcohol and drugs.

(H) A person who is unconscious or otherwise in a condition rendering the person incapable of refusal is considered to be informed and not to have withdrawn the consent provided by subsection (A) of this section.

(I) A person required to submit to tests by the arresting law enforcement officer must be provided with a written report including the time of arrest, the time of the tests, and the results of the tests before any trial or other proceeding in which the results of the tests are used as evidence. A person who obtains additional tests shall furnish a copy of the time, method, and results of such tests to the officer before a trial, hearing, or other proceeding in which the person attempts to use the results of the additional tests as evidence.

(J) Policies, procedures, and regulations promulgated by SLED may be reviewed by the trial judge or hearing officer on motion of either party. The failure to follow policies, procedures, and regulations, or the provisions of this section, shall result in the exclusion from evidence of any test results, if the trial judge or hearing officer finds that this failure materially affected the accuracy or reliability of the test results or the fairness of the testing procedure and the court trial judge or hearing officer rules specifically as to the manner in which the failure materially affected the accuracy or reliability of the test results or the fairness of the procedure.

(K) If a state employee charged with the maintenance of breath

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testing devices in this State and the administration of breath testing policy is required to testify at a contested case hearing or court proceeding, the entity employing the witness may charge a reasonable fee to the defendant for such services.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(B)(1)(c) and inserting:

(c) obtain a temporary alcohol license ~~with an ignition interlock device restriction pursuant to Section 56-1-400~~ from the Department of Motor Vehicles. Notwithstanding another provision of law, a person who is charged with an offense contained in subsection (A) and it is a second or subsequent offenses as defined in subsection (D)(2) must enroll in the Ignition interlock Device Program pending the outcome of the contested case hearing. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. ~~If a final disposition of the matter has not occurred within ninety days of the request of the contested case hearing, the Department of Motor Vehicles shall remove the ignition interlock device restriction pending the final disposition of the contested case hearing. If the person asks for a continuance which delays the hearing, the ignition interlock device restriction shall be extended for an additional ninety days.~~ Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section, or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person pursuant to subsection (H).

(d) Failure by the person to submit the notice of suspension with a hearing request under this section and Section 56-5-2951 shall not prevent the Office of Motor Vehicle Hearings from scheduling a hearing if the person submits with a written hearing request an affidavit of the

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person stating:

(i) the date of the offense;

(ii) the person's name and driver's license number and state of origin;

(iii) the reason why the notice of suspension was not available for submission; and

(iv) the name of the agency, arresting officer, and county of arrest.

(e) The administrative hearing officer may not sustain a suspension solely on the basis that the person lost the notice of suspension or if the person did not receive the notice of suspension from the arresting officer. A person who complies with this section may obtain a temporary alcohol license pursuant to Section 56-5-2951(B).

Amend the bill further, SECTION 11, by striking Section 56-5-2951(E)(2) and inserting:

(2) Following the advisement, the arresting officer must electronically submit the notice to the Department of Motor Vehicles. The suspension begins upon the ~~electronic submission~~ issuance of the notice of suspension to the person arrested. The arresting officer is not required to confiscate the person's driver's license. The person is not required to return the license to the Department of Motor Vehicles.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(F)(3) and inserting:

(3) A written order must be issued to all parties either reversing or upholding the suspension of the person's license, permit, or nonresident's operating privilege, or denying the issuance of a license or permit. If the suspension is upheld, the person must receive credit for the number of days the person's license was suspended before the person received a temporary alcohol license and requested the contested case hearing and must receive credit for the number of days, ~~if any, the person maintained an ignition interlock restriction on the temporary alcohol license,~~ if any, the person maintained an ignition interlock restriction on the temporary alcohol license.

Amend the bill further, SECTION 11, by striking Section 56-5-2951(I)(1)(a) and (b) and inserting:

(a) ~~six months~~ ~~one year~~ nine months for a person who refuses to submit to a test pursuant to Section 56-5-2950; or

(b) ~~one month~~ ~~two~~ three months for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

Amend the bill further, SECTION 11, by striking Section 56-5-

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2951(I)(2)(a), (b), and (c) and inserting:

(a) for a second offense, ~~nine months~~ two years one year if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~two four~~ six months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, ~~twelve months~~ three two years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~three six~~ nine months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more; and

(c) for a fourth or subsequent offense, ~~fifteen months~~ four three years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~four eight months~~ one year if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

Amend the bill further, by striking SECTION 12 and inserting:

SECTION X. Section 56-5-2953 of the S.C. Code is amended to read:

Section 56-5-2953. (A) A person who violates Section 56-5-2930, 56-5-2933, or 56-5-2945 must have his conduct ~~at the incident site and the breath test site~~ video recorded.

(1)(a) ~~The video~~ Video recording ~~at the incident site~~ must:

(i) not begin later than the activation of the officer's blue lights;

(ii) include any field sobriety tests or drug recognition examinations administered; and

(iii) include the arrest of a person for a violation of Section 56-5-2930 or Section 56-5-2933, or a probable cause determination in that the person violated Section 56-5-2945, and ~~show~~ reasonably document the person being advised of his Miranda rights.

(b) A refusal to take a field sobriety test does not constitute disobeying a police command.

(2) The video recording at the ~~breath~~-test site must:

(a) include the entire ~~breath~~-test procedure, the person being informed that he is being video recorded, and that he has the right to refuse the test;

(b) include the person taking or refusing the ~~breath~~-test and the actions of the breath test operator or sample collector while conducting the test; and

(c) also include the person's conduct during the required twenty-minute ~~pre-test~~ pre-breath test waiting period if a breath test is

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administered, unless the officer submits a sworn affidavit certifying that it was physically impossible to video record this waiting period.

(3) The video recordings of the incident site₁ and of the breath test site₂ are admissible pursuant to the South Carolina Rules of Evidence in a criminal, administrative, or civil proceeding by any party to the action.

(B) (1) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. Failure by the arresting officer to produce the video recording required by this section is not alone a ground for dismissal of any charge made pursuant to Section 56-5-2930, 56-5-2933, or 56-5-2945 if the arresting officer submits a sworn affidavit certifying that the video recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable condition, and certifying that there was no other operable breath test facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, road blocks, traffic accident investigations, and citizens' arrests, where an arrest has been made and the video recording equipment has not been activated by blue lights, the failure by the arresting officer to produce the video recordings required by this section is not alone a ground for dismissal. However, ~~as soon as video recording is practicable in these circumstances~~, video recording must begin as soon as practicable and thereafter must conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the video recording based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer's failure to produce the video recording.

(2) The court must view all relevant portions of any video recordings before making any ruling under this section.

(C) A video recording must not be disposed of in any manner except for its transfer to a master recording for consolidation purposes until the results of any legal proceeding in which it may be involved are finally determined.

(D) SLED is responsible for purchasing, maintaining, and

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supplying all necessary video recording equipment for use at the breath test sites. SLED also is responsible for monitoring all breath test sites to ensure the proper maintenance of video recording equipment. The Department of Public Safety is responsible for purchasing, maintaining, and supplying all videotaping equipment for use in all law enforcement vehicles used for traffic enforcement. The Department of Public Safety also is responsible for monitoring all law enforcement vehicles used for traffic enforcement to ensure proper maintenance of video recording equipment.

(E) Beginning one month from the effective date of this section, all of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to equip all breath test sites with video recording devices and supplies. Once all breath test sites have been equipped fully with video recording devices and supplies, eighty-seven and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by the Department of Public Safety to purchase, maintain, and supply video recording equipment for vehicles used for traffic enforcement. The remaining twelve and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to purchase, maintain, and supply video recording equipment for the breath test sites. Funds must be distributed by the State Treasurer to the Department of Public Safety and SLED on a monthly basis. The Department of Public Safety and SLED are authorized to carry forward any unexpended funds received in accordance with Section 14-1-208(C)(9) as of June thirtieth of each year and to expend these carried forward funds for the purchase, maintenance, and supply of video recording equipment. The Department of Public Safety and SLED must report the revenue received under this section and the expenditures for which the revenue was used as required in the department's and SLED's annual appropriation request to the General Assembly.

(F) The Department of Public Safety and SLED must promulgate regulations necessary to implement the provisions of this section.

(G) The provisions contained in Section 56-5-2953(A), (B), and (C) take effect for each law enforcement vehicle used for traffic enforcement once the law enforcement vehicle is equipped with a video recording device. The provisions contained in Section 56-5-2953(A), (B), and (C) take effect for a breath test site once the breath test site is equipped with a video recording device.

Amend the bill further, SECTION 13, by deleting Section 56-5-2920(E) from the bill.

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Amend the bill further, SECTION 14, by striking Section 56-5-2960(A) and inserting:

(A) As used in this section:

~~(1) “disabled” means a legal disability as is measured by functional disabilities; and includes disabilities caused by psychological, psychiatric, or stress-related trauma, and refers to any person seventeen years of age or older who is unable to make informed decisions with respect to his or her personal affairs to the extent that he or she lacks the capacity to provide for his or her physical health and safety or the physical health and safety of a minor child including, but not limited to, healthcare, food, shelter, clothing, or personal hygiene; and~~

~~(2) “totally and permanently disabled” means the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; and includes a finding of permanent total disability by the Social Security Administration that a person is disabled and qualifies for benefits or a finding by an administrative law judge.~~

Amend the bill further, SECTION 14, by striking Section 56-5-2960(B)(1) and inserting:

(B)(1) If a defendant is convicted of a violation of Section 56-5-2945(B) and the violation caused the death of a parent or guardian of a minor child or dependent or resulted in a finding by the court that a parent or guardian of a minor child or dependent is ~~disabled or~~ totally and permanently disabled, then the sentencing court may order the defendant to pay restitution in the form of financial support for the child or dependent to each child or dependent of the victim for the duration of any probationary sentence and/or community supervision until the child or dependent reaches eighteen years of age, or nineteen years of age if the child or dependent is still enrolled in high school.

Amend the bill further, SECTION 14, by striking Section 56-5-2960(C)(2) and inserting:

(2) If the court orders the defendant to pay restitution to financially support the child or dependent under this section and the surviving parent or guardian subsequently brings a civil action and obtains a judgment or satisfaction of damages, the restitution order shall be offset by the amount of the judgment awarded or satisfaction of damages and paid by the defendant or the defendant’s insurance for lost wages or permanent impairment of the power to work and earn money in the civil action.

Amend the bill further, SECTION 15, by striking Section 56-5-

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2990(C) and inserting:

(C) The Office of Substance Use Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each person shall bear the cost of services recommended in the person's plan of education or treatment. The cost may not exceed ~~five hundred one thousand~~ dollars for education services, ~~two four thousand~~ dollars for treatment services, and ~~two thousand five hundred five thousand~~ dollars in total for all services. No person may be denied services due to an inability to pay. ~~The cost for the Alcohol and Drug Safety Action Program is subject to the annual percentage increases not to exceed increases in the Consumer Price Index as reported by the Department of Labor Statistics, Consumer Price Index for South Carolina after year 2026.~~ Inability to pay for services may not be used as a factor in determining if the person has successfully completed services. A person who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the person has successfully completed services. The Office of Substance Use Services shall report annually to the House Ways and Means Committee and Senate Finance Committee on the number of first and multiple offenders completing the Alcohol and Drug Safety Action Program, the amount of fees collected and expenses incurred by each Alcohol and Drug Safety Action Program, and the number of community service hours performed in lieu of payment.

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(1)(c) and inserting:

(c) obtain a temporary alcohol license ~~with an ignition interlock restriction pursuant to Section 56-1-400~~ from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee must be distributed to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive a motor vehicle pending the outcome of the contested case hearing provided for in this section or the final decision or disposition of the matter.

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(2) and inserting:

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~~— (2) The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, then the person can obtain a temporary alcohol license without an ignition interlock restriction.~~

Amend the bill further, SECTION 16, by striking Section 56-1-286(L)(3) and inserting:

~~(3)~~(2) At the contested case hearing, if:

(a) the suspension is upheld, the person shall enroll in an Alcohol and Drug Safety Action Program and the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension periods provided for in subsections (F) and (G); ~~and~~or

~~(b) the person must enroll in the Ignition Device Program pursuant to Section 56-5-2941~~ the suspension is overturned, the person's driver's license, permit, or nonresident operating privilege must be reinstated.

Amend the bill further, by deleting SECTIONS 17 and 18 from the bill.

Amend the bill further, by striking SECTION 23 and inserting:

SECTION 23. Beginning on July 31, 2027, the Office of Court Administration shall submit an annual report to the House and Senate Judiciary Committees ~~and to the Judicial Merit Selection Commission~~ on the number of driving under the influence violations charged pursuant to Section 56-5-2930, the number of driving with an unlawful alcohol concentration violations charged pursuant to Section 56-5-2933, and the number of felony driving under the influence violations charged pursuant to Section 56-5-2945, for the preceding fiscal year. The report must include the disposition, the circuit in which the disposition occurred, ~~and the name of the judge presiding over the case.~~

Amend the bill further, SECTION 24, by striking Section 16-1-60 and inserting:

Section 16-1-60. ~~(A)~~ For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16-3-10); attempted murder (Section 16-3-29); assault and battery by mob, first degree, resulting in death (Section 16-3-210(B)), criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653); criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656); assault and battery

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with intent to kill (Section 16-3-620); assault and battery of a high and aggravated nature (Section 16-3-600(B)); kidnapping (Section 16-3-910); trafficking in persons (Section 16-3-2020); voluntary manslaughter (Section 16-3-50); armed robbery (Section 16-11-330(A)); attempted armed robbery (Section 16-11-330(B)); carjacking (Section 16-3-1075); drug trafficking as defined in Section 44-53-370(e) or trafficking cocaine base as defined in Section 44-53-375(C); manufacturing or trafficking methamphetamine as defined in Section 44-53-375; arson in the first degree (Section 16-11-110(A)); arson in the second degree (Section 16-11-110(B)); burglary in the first degree (Section 16-11-311); burglary in the second degree (Section 16-11-312(B)); engaging a child for a sexual performance (Section 16-3-810); homicide by child abuse (Section 16-3-85(A)(1)); aiding and abetting homicide by child abuse (Section 16-3-85(A)(2)); inflicting great bodily injury upon a child (Section 16-3-95(A)); allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B)); domestic violence of a high and aggravated nature (Section 16-25-65); domestic violence in the first degree (Section 16-25-20(B)); abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43-35-85(E)); taking of a hostage by an inmate (Section 24-13-450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10-11-325(B)(1)); spousal sexual battery (Section 16-3-615); producing, directing, or promoting sexual performance by a child (Section 16-3-820); sexual exploitation of a minor first degree (Section 16-15-395); sexual exploitation of a minor second degree (Section 16-15-405); promoting prostitution of a minor (Section 16-15-415); participating in prostitution of a minor (Section 16-15-425); aggravated voyeurism (Section 16-17-470(C)); detonating a destructive device resulting in death with malice (Section 16-23-720(A)(1)); detonating a destructive device resulting in death without malice (Section 16-23-720(A)(2)); boating under the influence resulting in death (Section 50-21-113(A)(2)); vessel operator's failure to render assistance resulting in death (Section 50-21-130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55-1-30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2)); interference with traffic-control devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3)); hit and run resulting in death (Section 56-5-1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(B)(2));

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putting destructive or injurious materials on a highway resulting in death (Section 57-7-20(D)); obstruction of a railroad resulting in death (Section 58-17-4090); accessory before the fact to commit any of the above offenses (Section 16-1-40); and attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses.

~~—(B) At the time of sentencing for a conviction of Section 50-21-113(A)(2) or Section 56-5-2945(B)(2), the judge may suspend the designation of violent offense and must include findings on the record documenting the departure from Section 16-1-60(A) for this conviction. The Department of Corrections may allow the person to participate in work programs, education, and rehabilitation that he would not otherwise be eligible for due to the conviction for Section 50-21-113(A)(2) or Section 56-5-2945(B)(2). However, the person shall not accumulate credit for time for his participation. The judge may not order a departure if the person has additional convictions before the judge that are violent offenses. For a person serving an active sentence as of the effective date of this subsection, the person may petition the circuit court where the conviction occurred to remove the designation of violent offense from his record, provided the victim's family consents and the only violent offense on his record is Section 50-21-113(A)(2) or Section 56-5-2945(B)(2). The person must petition the court prior to his release.~~

Amend the bill further, by striking SECTION 25 and inserting:

SECTION X. The Office of Substance Use Services and the Department of Motor Vehicles shall each conduct a study on the feasibility and costs of the creation of education materials that emphasize the impact of driving privileges and other consequences resulting from driving under the influence and driving while distracted. The Office and Department may consider the structure and curriculum of victim impact panels when considering feasibility. The feasibility and costs associated with video material that is between thirty minutes and one hour in length must be considered. These materials would be designed for teenage drivers and recommended as components of the driver's education requirements found in Section 56-1-175 and Section 56-1-180. To the extent able, the reports must include findings of whether such materials, video or otherwise, would have a benefit on public safety, and whether any requirements should be imposed on all applicants for driver's licenses or only those of a particular age. The Office of Substance Use Services and the Department of Motor Vehicles must issue reports on their findings to the President of the Senate, the Speaker of the House, and the Governor no later than June 30, 2027.

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SECTION X.A. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. ~~However, this section does not apply to an offense involving the operation of a motor vehicle.~~

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) Following a conviction for driving under the influence pursuant to Section 56-5-2930(A) or driving with an unlawful alcohol concentration pursuant to 56-5-2933(A), the defendant after ten years from the offense date of the conviction, including a conviction in magistrate or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

~~(D)~~ If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), or during the ten-year period as provided in subsection (C), the circuit court may issue an order expunging the records including any associated bench warrant.

~~(D)~~(E) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

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~~(F)~~(F) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

~~(F)~~(G) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the charges have been pending for more than five years; or more than ten years if the charge is pursuant to Section 56-5-2930(A) or Section 56-5-2933(A), however, this five-year, or ten-year, time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section.

B. Section 22-5-920 of the S.C. Code is amended to read:

Section 22-5-920. (A) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(B)(1) Following a first offense conviction as a youthful offender for which a defendant is sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the defendant, who has not been convicted of any offense, including an out-of-state offense, but not including a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, while serving the youthful offender sentence, including probation and parole, and for a period of five years from the date of completion of the defendant's sentence, including probation and parole, may apply, or cause someone acting on the defendant's behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction.

(2) However, this section does not apply to:

- ~~(a) an offense involving the operation of a motor vehicle;~~
- ~~(b)~~(a) an offense classified as a violent crime in Section 16-1-60;
- ~~(e)~~(b) an offense contained in Chapter 25, Title 16, except as

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otherwise provided in Section 16-25-30; or

~~(d)~~(c) an offense for which the individual is required to register in accordance with the South Carolina Sex Offender Registry Act.

(3) If the defendant has had no other conviction, to include out-of-state convictions, but to not include a conviction for driving under suspension or a conviction for disturbing schools as provided for in Section 16-17-420 before May 17, 2018, during the service of the youthful offender sentence, including probation and parole, and during the five-year period following completion of the defendant's sentence, including probation and parole, for a first offense conviction as a youthful offender for which the defendant was sentenced pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, the circuit court may issue an order expunging the records. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section. A person eligible for a sentence pursuant to the provisions of Chapter 19, Title 24, Youthful Offender Act, and who is not sentenced pursuant to those provisions, is not eligible to have the person's record expunged pursuant to the provisions of this section; however, a person who was convicted prior to June 2, 2010, and was a youthful offender as that term is defined in Section 24-19-10(d) is eligible to have his record expunged pursuant to the provisions of this section.

(C) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of its expungement to ensure that no person takes advantage of the rights permitted by this section more than once. This nonpublic record is not subject to release under Section 34-11-95, the Freedom of Information Act, or another provision of law, except to those authorized law enforcement or court officials who need this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

Amend the bill further, by striking SECTION 29 and inserting:

SECTION 29. This act takes effect ~~upon~~one year after approval by the Governor, ~~except for SECTIONS 6, 8, 9, 10, 11, 13, 16, and 17, which take effect on December 31, 2026.~~

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG spoke upon the amendment.

The amendment was then adopted.

[HJ]

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Rep. GATCH proposed the following Amendment No. 3 to S. 52 (LC-52.HDB0002H), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 15-78-120(a) of the S.C. Code is amended to read:

(a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three hundred thousand~~ one million dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed ~~six hundred thousand~~ two million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

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Renumber sections to conform.
Amend title to conform.

POINT OF ORDER

Rep. W. NEWTON raised the Rule 9.3 that Amendment No. 3 was not germane to S. 52.

Rep. GATCH argued contra.

ACTING SPEAKER HIOTT sustained the Point of Order.

Rep. TEEPLE proposed the following Amendment No. 4 to S. 52 (LC-52.HDB0004H), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-5-2960. (A) As used in this section:

(1) “disabled” means a legal disability as is measured by functional inabilities; and includes inabilities caused by psychological, psychiatric, or stress-related trauma, and refers to any person seventeen years of age or older who is unable to make informed decisions with respect to his or her personal affairs to the extent that he or she lacks the capacity to provide for his or her physical health and safety or the physical health and safety of a minor child, including but not limited to health care, food, shelter, clothing, or personal hygiene; and

(2) “totally and permanently disabled” means the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months; and includes a finding of permanent total disability by the Social Security Administration that a person is disabled and qualifies for benefits or a finding by an administrative law judge.

(B)(1) If a defendant is convicted of a violation of Section 56-5-2945(B) and the violation caused the death of a parent or guardian of a minor child or dependent or resulted in a finding by the court that a parent or guardian of a minor child or dependent is disabled or totally and permanently disabled, then the sentencing court may order the defendant to pay restitution in the form of financial support for the child or dependent to each child or dependent of the victim for the duration of any probationary sentence and /or community supervision until the child or dependent reaches eighteen years of age, or nineteen years of age if the child or dependent is still enrolled in high school.

(2) In determining an amount that is reasonable and necessary for the financial support of the victim’s child or dependent, the court shall

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consider all relevant factors, including the:

- (a) financial needs and resources of the child or dependent;
- (b) financial resources and needs of the surviving parent or guardian of the child or dependent;
- (c) standard of living to which the child or dependent is accustomed;
- (d) physical and emotional condition of the child or dependent and the child's or dependent's educational needs;
- (e) child's or dependent's physical and legal custody arrangements; and
- (f) reasonable childcare expenses of the surviving parent or guardian.

(C)(1) If the surviving parent or guardian of the child or dependent brings a civil action against the defendant before the sentencing court orders restitution to financially support the child or dependent and the surviving parent or guardian obtains a judgment and full satisfaction of damages in the civil suit, restitution shall not be ordered under this section.

(2) If the court orders the defendant to pay restitution to financially support the child or dependent under this section and the surviving parent or guardian subsequently brings a civil action and obtains a judgment, the restitution order shall be offset by the amount of the judgment awarded and paid by the defendant or the defendant's insurance for lost wages or permanent impairment of the power to work and earn money in the civil action.

Renumber sections to conform.

Amend title to conform.

Rep. TEEPLE explained the amendment.

Rep. ROBBINS spoke against the amendment.

Rep. ROBBINS moved to table the amendment, which was agreed to.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

| | | |
|-----------|------------|----------|
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |

[HJ]

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| | | |
|---------------|-----------------|--------------|
| Bannister | Bauer | Beach |
| Bernstein | Bowers | Bradley |
| Brewer | Brittain | Burns |
| Bustos | Calhoon | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Cox |
| Cromer | Davis | Dillard |
| Duncan | Edgerton | Erickson |
| Ford | Forrest | Frank |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Gilliard |
| Gilreath | Govan | Grant |
| Guest | Haddon | Hager |
| Hardee | Hart | Hartnett |
| Hayes | Henderson-Myers | Herbkersman |
| Hewitt | Hiott | Hixon |
| Holman | Hosey | Huff |
| J. L. Johnson | Jones | Jordan |
| Kilmartin | Kirby | Landing |
| Lastinger | Lawson | Ligon |
| Long | Lowe | Luck |
| Magnuson | McCrary | McDaniel |
| McGinnis | C. Mitchell | D. Mitchell |
| T. Moore | Morgan | Moss |
| Neese | B. Newton | W. Newton |
| Oremus | Pace | Rankin |
| Reese | Rivers | Robbins |
| Rose | Rutherford | Sanders |
| Schuessler | Scott | Sessions |
| G. M. Smith | M. M. Smith | Stavrinnakis |
| Taylor | Teeple | Terrible |
| Vaughan | Wetmore | White |
| Whitmire | Wickensimer | Williams |
| Willis | Wooten | Yow |

Total--108

Those who voted in the negative are:

Total--0

[HJ]

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So, the Bill, as amended, was read the second time and ordered to third reading.

S. 52--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. ROBBINS, with unanimous consent, it was ordered that S. 52 be read the third time tomorrow.

S. 582--DEBATE ADJOURNED

The following Bill was taken up:

S. 582 -- Senators Massey, Alexander, Rice and Garrett: A BILL TO RATIFY AN AMENDMENT TO SECTION 4, ARTICLE II, RELATING TO VOTER QUALIFICATIONS, SO AS TO PROVIDE THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 357--DEBATE ADJOURNED

The following Bill was taken up:

S. 357 -- Senators Rankin, Alexander, Young, Hembree, Reichenbach, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-13-190, SO AS TO CREATE THE OFFENSE OF MAIL THEFT AND PRESCRIBE PENALTIES FOR VIOLATION.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

S. 508--DEBATE ADJOURNED

The following Bill was taken up:

S. 508 -- Senators Verdin, Goldfinch, Martin, Peeler, Bennett, Young, Blackmon, Kimbrell, Zell, Nutt, Fernandez, Alexander, Turner, Adams, Leber, Corbin, Grooms, Hembree, Rice, Massey, Garrett, Chaplin, Cromer, Johnson, Gambrell, Kennedy, Davis, Climer, Campsen, Reichenbach, Bright and Cash: A BILL TO AMEND THE SOUTH

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CAROLINA CODE OF LAWS BY AMENDING SECTION 10-1-165, RELATING TO THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS, SO AS TO EXPAND THE TYPE OF MONUMENTS OR MEMORIALS THAT MAY NOT BE RELOCATED, REMOVED, OR DISTURBED, TO WITHHOLD DISBURSEMENTS FROM THE LOCAL GOVERNMENT FUND FOR ANY COUNTY OR MUNICIPALITY THAT VIOLATES THIS SECTION, TO PROVIDE FOR THE CARE AND PRESERVATION OF MONUMENTS AND MEMORIALS BY CERTAIN PEOPLE OR ORGANIZATIONS, TO PROVIDE STANDING TO CERTAIN PEOPLE OR ORGANIZATIONS TO BRING A CIVIL ACTION IN RESPONSE TO A VIOLATION OF THIS SECTION OR TO PREVENT SUCH VIOLATION, AND TO PROVIDE FOR LIMITATIONS ON THE TRANSFER OF REAL PROPERTY UNDERNEATH A MONUMENT OR MEMORIAL OR THE TRANSFER OF REAL PROPERTY NECESSARY TO MAINTAIN, ACCESS, OR VIEW A MONUMENT OR MEMORIAL.

Rep. B. NEWTON moved to adjourn debate on the Bill until Tuesday, May 5, which was agreed to.

OBJECTION TO RECALL

Rep. BAMBERG asked unanimous consent to recall H. 4112 from the Committee on Agriculture, Natural Resources and Environmental Affairs.

Rep. COLLINS objected.

OBJECTION TO RECALL

Rep. CROMER asked unanimous consent to recall H. 4043 from the Committee on Judiciary.

Rep. GILLIARD objected.

OBJECTION TO RECALL

Rep. PACE asked unanimous consent to recall H. 4717 from the Committee on Judiciary.

Rep. COBB-HUNTER objected.

OBJECTION TO RECALL

Rep. EDGERTON asked unanimous consent to recall H. 3505 from the Committee on Judiciary.

Rep. GUEST objected.

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**H. 5488--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that H. 5488 be read the third time tomorrow.

OBJECTION TO RECALL

Rep. BEACH asked unanimous consent to recall H. 5398 from the Committee on Ways and Means.

Rep. BANNISTER objected.

OBJECTION TO RECALL

Rep. KILMARTIN asked unanimous consent to recall S. 1020 from the Lexington Delegation.

Rep. WETMORE objected.

H. 3768--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

H. 3768 -- Reps. Brewer, Gatch, Robbins, Schuessler and Sessions: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ACT 36 OF 2019, RELATING TO HIGHWAY SYSTEM CONSTRUCTION, SO AS TO CHANGE THE SUNSET EXPIRATION PROVISION TO JULY 1, 2031.

Rep. B. NEWTON moved to adjourn debate upon the Senate Amendments until Tuesday, May 5, which was agreed to.

H. 5126--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

H. 5126 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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Rep. B. NEWTON moved to adjourn debate upon the Senate Amendments until Tuesday, May 5, which was agreed to.

S. 831--AMENDED AND SENT TO THE SENATE

The following Bill was taken up:

S. 831 -- Senators Grooms, Jackson, Kimbrell, Sutton and Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 57-1-25 SO AS TO ESTABLISH A COORDINATING COUNCIL FOR TRANSPORTATION AND MOBILITY AND DEFINE ITS MEMBERSHIP, POWERS, AND RESPONSIBILITIES; BY AMENDING SECTION 57-1-360, RELATING TO THE CHIEF INTERNAL AUDITOR, SO AS TO CLARIFY QUALIFICATIONS AND SCOPE OF ACTIVITIES; BY AMENDING SECTION 57-1-370, RELATING TO THE DEVELOPMENT OF A LONG-RANGE STATEWIDE TRANSPORTATION PLAN, SO AS TO MANDATE THAT THE DEPARTMENT OF TRANSPORTATION IS RESPONSIBLE FOR DEVELOPING THE PLAN; BY AMENDING SECTION 57-3-20, RELATING TO RESPONSIBILITIES AND DUTIES OF THE DEPUTY SECRETARIES, SO AS TO PROVIDE FOR THE RESPONSIBILITIES AND DUTIES OF THE DEPUTY SECRETARIES; BY ADDING SECTION 57-3-205 SO AS TO ALLOW THE DEPARTMENT TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS; BY AMENDING SECTION 57-3-615, RELATING TO HIGHWAY TOLLS AND USAGE, SO AS TO ALLOW THE IMPOSITION OF TOLLS IN CERTAIN SITUATIONS; BY ADDING SECTION 57-3-790 SO AS TO WAIVE THE STATE'S IMMUNITY; BY ADDING SECTION 57-3-800 SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO RECIPROCAL AGREEMENTS WITH OTHERS TO ENFORCE TOLL VIOLATIONS; BY AMENDING SECTION 57-5-820, RELATING TO THE CONSENT OF A MUNICIPALITY TO WORK ON STATE HIGHWAYS, SO AS TO PROVIDE FOR CANCELLATION OF PROJECTS IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 57-5-830, RELATING TO THE ASSENT OF MUNICIPALITY TO PLANS, SO AS TO PROVIDE THAT COSTS CAUSED BY AN UNREASONABLE DELAY ARE THE RESPONSIBILITY OF THE MUNICIPALITY; BY ADDING SECTION 57-5-105 SO AS TO IDENTIFY AND TRANSFER OWNERSHIP OF NON-ESSENTIAL

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ROADS TO THE STATE HIGHWAY SYSTEM; BY ADDING SECTION 57-5-1085 SO AS TO IMPOSE FEES ON NEW DEVELOPMENTS WITHIN THE STATE IN ORDER TO MITIGATE CONGESTION CAUSED BY ADDITIONAL TRAFFIC; BY AMENDING SECTION 57-5-1320, RELATING TO TURNPIKE PROJECT DEFINITIONS, SO AS TO INCLUDE NONTAX REVENUES OR OTHER LEGALLY AVAILABLE FUNDS AS A SOURCE FOR FUNDING TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1330, RELATING TO GENERAL POWERS OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ALLOW THE DEPARTMENT TO CONTRACT WITH OTHER POLITICAL SUBDIVISIONS IN DESIGNATING, ESTABLISHING, PLANNING, ABANDONING, FINANCING, IMPROVING, CONSTRUCTING, MAINTAINING, AND REGULATING TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1335, RELATING TO THE FEASIBILITY STUDIES, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE A FEASIBILITY STUDY PRIOR TO A BRIDGE CONSTRUCTION QUALIFYING AS TURNPIKE FACILITY; BY AMENDING SECTION 57-5-1340, RELATING TO ADDITIONAL POWERS OF THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1350, RELATING TO A REQUEST FOR AN ISSUANCE OF TURNPIKE BONDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1360, RELATING TO POWERS AND DUTIES OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY UPON RECEIPT OF REQUEST, SO AS TO PROVIDE THAT A RESOLUTION APPROVING ANY PROPOSED TURNPIKE BONDS MAY NOT BE ADOPTED UNLESS THE STATE BOARD CONDUCTS A HEARING BEFORE APPROVAL; BY AMENDING SECTION 57-5-1380, RELATING TO TURNPIKE REVENUE PLEDGED FOR PAYMENT OF BONDS, SO AS TO CLARIFY THAT TURNPIKE BONDS ISSUED BY THIS ARTICLE DO NOT CONSTITUTE AN INDEBTEDNESS OF THE STATE; BY AMENDING SECTION 57-5-1390, RELATING TO BOND INTEREST, MATURITY, AND REDEMPTION, SO AS TO UPDATE TERMS; BY AMENDING SECTION 57-5-1400, RELATING TO THE SALE OF BONDS AND EXPENSES INCIDENT TO SALE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1410, RELATING TO THE EXECUTION OF BONDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1420, RELATING TO

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THE APPLICATION OF BOND PROCEEDS, SO AS TO PROVIDE THAT THE PROCEEDS DERIVED FROM THE SALE OF TURNPIKE BONDS MUST BE APPLIED ONLY TO THE PURPOSES AUTHORIZED BY THIS ARTICLE AND PROVIDED IN THE BOND RESOLUTION; BY AMENDING SECTION 57-5-1430, RELATING TO DENOMINATIONS OF TURNPIKE BONDS, SO AS TO PROVIDE THAT TURNPIKE BONDS MUST EACH BE IN THE DENOMINATION OF ONE THOUSAND OR FIVE THOUSAND DOLLARS OR SOME MULTIPLE THEREOF OR SUCH LARGER DENOMINATIONS AS MAY BE AUTHORIZED BY THE AUTHORITY IN THE BOND RESOLUTION; BY AMENDING SECTION 57-5-1440, RELATING TO THE FORM OF BONDS, SO AS TO REMOVE THE PROVISION THAT TURNPIKE BONDS ISSUED PURSUANT TO THIS ARTICLE MAY BE IN THE FORM OF NEGOTIABLE COUPON BONDS, PAYABLE TO BEARER; BY AMENDING SECTION 57-5-1450, RELATING TO THE RESOLUTION TO ISSUE BONDS, SO AS TO PROVIDE THAT THE DEPARTMENT AND THE AUTHORITY MAY RELY ON THE WORK PRODUCT OF THIRD-PARTY PROFESSIONALS TO PROVIDE FINANCIAL, FEASIBILITY, OR PRACTICABILITY STUDIES RELATED TO THE TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1460, RELATING TO THE POWERS AND DUTIES OF THE GOVERNOR AND THE STATE TREASURER UPON RECEIPT OF THE BOND RESOLUTION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1480, RELATING TO THE PROVISION THAT IT IS LAWFUL FOR FIDUCIARIES AND SINKING FUND COMMISSIONS TO INVEST IN TURNPIKE BONDS; BY AMENDING SECTION 57-5-1490, RELATING TO PENALTIES FOR FAILURE TO PAY TOLLS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1495, RELATING TO THE COLLECTION OF TOLLS, SO AS TO CHANGE THE DEFINITION OF "ELECTRONIC TOLL COLLECTION SYSTEM" AND ADD THAT A CERTIFICATE THAT A TOLL VIOLATION HAS OCCURRED BASED UPON ELECTRONIC MEANS IS PRIMA FACIE EVIDENCE OF THE VIOLATION; BY ADDING SECTION 57-5-1710 SO AS TO ALLOW THE DEPARTMENT TO USE PHASED DESIGN-BUILD AS A PROJECT DELIVERY METHOD AND PROSCRIBE THE PROCEDURE FOR ENTERING INTO A PHASED DESIGN-BUILD CONTRACT; BY ADDING SECTION 57-5-1720 SO AS TO ALLOW THE DEPARTMENT TO AWARD

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HIGHWAY CONSTRUCTION CONTRACTS USING A CONSTRUCTION MANAGER/GENERAL CONTRACTOR PROCEDURE; BY AMENDING SECTION 57-11-210, RELATING TO DEFINITIONS PERTAINING TO STATE HIGHWAY BONDS, SO AS TO DEFINE "ALTERNATIVE FUEL FEES"; BY AMENDING SECTION 56-3-645, RELATING TO ALTERNATIVE FUEL FEES FOR VEHICLES POWERED BY ELECTRICITY, HYDROGEN, AND FUELS OTHER THAN MOTOR FUEL, SO AS TO INCREASE FEES, PROVIDE FOR ADJUSTMENT OF THE FEES, AND TO CREDIT THE FEES TO THE STATE HIGHWAY FUND; BY AMENDING SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO DESIGNATE THE SECRETARY OF TRANSPORTATION AS AN EX OFFICIO MEMBER; BY AMENDING SECTION 11-35-710, RELATING TO EXEMPTIONS IN THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO INCLUDE AN EXEMPTION FOR THE PURCHASE AND MANAGEMENT OF INFORMATION TECHNOLOGY BY THE DEPARTMENT OF TRANSPORTATION; BY ADDING SECTION 12-28-315 SO AS TO PRESCRIBE A USER FEE ON ELECTRICITY CONSUMED WHEN USING A PUBLICLY ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION; BY AMENDING SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF A GASOLINE USER FEE AMONG COUNTIES, REQUIREMENTS FOR THE EXPENDITURE OF FUNDS, AND COUNTY TRANSPORTATION COMMITTEES, SO AS TO PROVIDE FOR THE POWERS AND RESPONSIBILITIES OF THE COUNTY TRANSPORTATION COMMITTEES AND PROCEDURES FOR USING "C" FUNDS REVENUES; AND BY AMENDING SECTION 12-28-2920, RELATING TO CONSTRUCTION OF TOLL ROADS, SO AS TO DEFINE HOW FUNDS DERIVED FROM TOLLS MAY BE USED.

Rep. BANNISTER proposed the following Amendment No. 127 to S. 831 (LC-831.DG0034H), which was adopted:

Amend the bill, as and if amended, SECTION 32, by striking Section 57-3-205(J) and inserting:

(J) No toll or usage charge may be imposed on an existing roadway unless expressly authorized by the General Assembly. Any ~~tolling~~ such structure must be disclosed before the execution of the agreement and must include rate limitations or other mechanisms to protect the public.

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Renumber sections to conform.
Amend title to conform.

Rep. BANNISTER explained the amendment.
The amendment was then adopted.

Rep. ERICKSON spoke in favor of the Bill.

Rep. ERICKSON demanded the yeas and nays which were taken,
resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

| | | |
|-------------|---------------|-----------------|
| Alexander | Anderson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Beach | Bernstein |
| Bowers | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Cox | Cromer |
| Davis | Dillard | Duncan |
| Edgerton | Erickson | Ford |
| Forrest | Frank | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliard | Gilreath | Govan |
| Grant | Guest | Haddon |
| Hager | Hardee | Hart |
| Hartnett | Hayes | Henderson-Myers |
| Herbkersman | Hewitt | Hiott |
| Hixon | Holman | Hosey |
| Huff | J. L. Johnson | Jones |
| Jordan | Kilmartin | Kirby |
| Landing | Lastinger | Lawson |
| Ligon | Long | Lowe |
| Luck | Magnuson | McCabe |
| McCravy | McDaniel | McGinnis |
| C. Mitchell | D. Mitchell | T. Moore |
| Morgan | Moss | Neese |
| B. Newton | W. Newton | Oremus |
| Pace | Rankin | Reese |

[HJ]

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| | | |
|-------------|-------------|-------------|
| Rivers | Robbins | Rose |
| Rutherford | Sanders | Schuessler |
| Scott | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Teeple | Terrible | Vaughan |
| Weeks | Wetmore | White |
| Whitmire | Wickensimer | Williams |
| Willis | Wooten | Yow |

Total--108

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the third time and ordered sent to the Senate.

SENT TO THE SENATE

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 4382 -- Rep. Sessions: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-398, RELATING TO THE SALE OF PRODUCTS CONTAINING EPHEDRINE OR PSEUDOEPHEDRINE; SO AS TO REQUIRE THAT MANUFACTURERS OF THESE PRODUCTS PAY MONTHLY FEES ASSOCIATED WITH DATA COLLECTION AND TO ESTABLISH A PENALTY FOR FAILURE OF MANUFACTURERS TO COMPLY.

H. 5216 -- Reps. Chapman, Brewer, Sessions, Gagnon, Sanders, Hager, Vaughan, Ligon, M. M. Smith, Kirby and Teeple: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-10-30, RELATING TO THE ADOPTION OF THE 2009 EDITION OF THE ENERGY CONSERVATION CODE, SO AS TO LIMIT ITS APPLICATION TO CONSTRUCTION FALLING WITHIN THE SCOPE OF THE INTERNATIONAL RESIDENTIAL CODE; AND BY AMENDING SECTION 6-10-40, RELATING TO APPEAL BY LOCAL JURISDICTION FOR VARIANCE TO THE SOUTH CAROLINA BUILDING CODES

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COUNCIL, SO AS TO REQUIRE THAT STATEWIDE MODIFICATIONS NOT FALLING WITHIN THE SCOPE OF THE INTERNATIONAL RESIDENTIAL CODE MAY BE MADE IN THE SAME MANNER AS OTHER BUILDING CODES.

H. 4641--SENT TO THE SENATE

The following Bill was taken up:

H. 4641 -- Reps. Pope, Gilliam, Wooten, Oremus, Chapman, McCravy, B. Newton, Martin, White, Schuessler, Ford, Jordan, M. M. Smith, Robbins, Gatch, Duncan, Lastinger, Ligon, Hixon and Ballentine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-190, RELATING TO SCHEDULE I CONTROLLED SUBSTANCES, SO AS TO ADD KRATOM TO THE CONTROLLED SUBSTANCES LISTED IN SCHEDULE I; AND BY REPEALING ARTICLE 20 OF CHAPTER 53, TITLE 44 RELATING TO THE SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT.

Rep. LIGON demanded the yeas and nays which were taken, resulting as follows:

Yeas 98; Nays 4

Those who voted in the affirmative are:

| | | |
|-------------|----------|-----------------|
| Alexander | Anderson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Beach | Bernstein |
| Bowers | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Cox | Cromer |
| Davis | Dillard | Duncan |
| Edgerton | Erickson | Ford |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Gilliard | Gilreath | Govan |
| Grant | Guest | Haddon |
| Hager | Hardee | Hart |
| Hartnett | Hayes | Henderson-Myers |
| Herbkersman | Hewitt | Hiott |

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| | | |
|-------------|-------------|-------------|
| Hixon | Holman | Hosey |
| Huff | Jordan | Kirby |
| Landing | Lastinger | Lawson |
| Ligon | Long | Luck |
| McCabe | McCray | McDaniel |
| McGinnis | C. Mitchell | D. Mitchell |
| T. Moore | Morgan | Moss |
| Neese | B. Newton | W. Newton |
| Oremus | Rankin | Reese |
| Rivers | Robbins | Sanders |
| Schuessler | Scott | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Teeple | Terrible |
| Vaughan | Wetmore | Whitmire |
| Wickensimer | Williams | Willis |
| Wooten | Yow | |

Total--98

Those who voted in the negative are:

| | | |
|------------|----------|------|
| Frank | Magnuson | Rose |
| Rutherford | | |

Total--4

The Bill was read the third time and ordered sent to the Senate.

RECORD FOR VOTING

I inadvertently voted in favor of H. 4641. I intended to vote against the Bill.

Rep. Robert Reese

ABSTENTION FROM VOTING

April 29, 2026

The Honorable G. Murrell Smith Jr.

506 Blatt Building

Columbia, SC 29201

Dear Speaker Smith,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 4641, which seeks to

[HJ]

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amend the South Carolina Code of Laws by amending Section 44-53-190, relating to Schedule I controlled substances, so as to add Kratom to the controlled substances listed in Schedule I; and by repealing Article 20 of Chapter 53, Title 44 relating to the South Carolian Kratom Consumer Protection Act, out of an abundance of caution.

I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and/or the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,
Representative Jordan Pace
House District Number 117

H. 5504--SENT TO THE SENATE

The following Bill was taken up:

H. 5504 -- Reps. Crawford, G. M. Smith, Teeple, C. Mitchell and Bernstein: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "FOREIGN INFLUENCE OPERATIONS OUT OF AMERICAN EDUCATION ACT" BY ADDING SECTION 59-101-425 SO AS TO PROHIBIT PUBLIC INSTITUTIONS OF HIGHER LEARNING FROM SOLICITING OR ACCEPTING CERTAIN GIFTS OR TRAVEL FROM FOREIGN ADVERSARY NATIONS, FOREIGN PRINCIPALS, OR FOREIGN TERRORIST ORGANIZATIONS, TO RESTRICT FOREIGN INFLUENCE ON HIRING, CURRICULUM, AND CAMPUS ORGANIZATIONS, AND TO REQUIRE DISCLOSURE OF GIFTS AND CONTRACTS FROM FOREIGN COUNTRIES AND FOREIGN PRINCIPALS TO THE OFFICE OF THE STATE TREASURER.

Rep. LIGON demanded the yeas and nays which were taken, resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

| | | |
|------------|----------|-----------|
| Alexander | Anderson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Beach | Bernstein |
| Bowers | Bradley | Brewer |
| Burns | Bustos | Calhoon |
| Caskey | Chapman | Chumley |

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| | | |
|-------------|-----------------|-------------|
| Clyburn | Cobb-Hunter | Collins |
| Cox | Cromer | Davis |
| Dillard | Duncan | Edgerton |
| Erickson | Ford | Forrest |
| Frank | Gagnon | Garvin |
| Gatch | Gilliam | Gilliard |
| Gilreath | Govan | Grant |
| Guest | Haddon | Hager |
| Hardee | Hart | Hartnett |
| Hayes | Henderson-Myers | Herbkersman |
| Hewitt | Hiott | Hixon |
| Holman | Hosey | Huff |
| Jones | Jordan | Kilmartin |
| Kirby | Lastinger | Lawson |
| Ligon | Long | Lowe |
| Luck | Magnuson | McCabe |
| McCravy | McDaniel | McGinnis |
| C. Mitchell | D. Mitchell | T. Moore |
| Morgan | Moss | Neese |
| B. Newton | W. Newton | Oremus |
| Pace | Rankin | Reese |
| Rivers | Robbins | Rose |
| Rutherford | Sanders | Schuessler |
| Scott | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Teeple | Terrible | Vaughan |
| Weeks | Wetmore | White |
| Whitmire | Wickensimer | Williams |
| Willis | Wooten | Yow |

Total--105

Those who voted in the negative are:

Total--0

The Bill was read the third time and ordered sent to the Senate.

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H. 5129--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 5129 -- Reps. J. E. Johnson, Crawford, Guest, Brittain, Atkinson, Hardee, Hayes, McGinnis and Schuessler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 FROM ITS INTERSECTION WITH MEDLEN PARKWAY TO ITS INTERSECTION WITH MILL POND ROAD IN THE CITY OF CONWAY IN HORRY COUNTY "CHUCK JORDAN HIGHWAY" AND PLACE APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

H. 5543--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 5543 -- Reps. Gilliam and Bernstein: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME INTERSTATE HIGHWAY 26 EXIT 54 IN LAURENS COUNTY "COL. WALTER BLAKELY TODD MEMORIAL EXIT" AND PLACE APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS AT THIS LOCATION.

The Concurrent Resolution was adopted and sent to the Senate.

H. 5586--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 5586 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 278 EAST FROM FEED LOT ROAD TO THE TOWN LIMIT OF FAIRFAX IN ALLENDALE COUNTY THE "HONORABLE DOROTHY S. RILEY HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

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**S. 1108--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1108 -- Senator Rankin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRED NASH BOULEVARD FROM ITS NORTH END TO ITS INTERSECTION WITH HARRELSON BOULEVARD IN HORRY COUNTY "CORNELIA BRIGHAM INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

RECURRENCE TO THE MORNING HOUR

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

HOUSE RESOLUTION

The following was introduced:

H. 5623 -- Reps. Lowe, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Laster, Lawson, Ligon, Long, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR MARY "BRIDGETTE" PARKER COATES UPON THE OCCASION OF HER

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RETIREMENT, COMMEND HER FOR THIRTY-FOUR YEARS OF DEDICATED PUBLIC SERVICE, AND WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5624 -- Reps. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HONORABLE JAMES LEWIS MANN "BUBBA" CROMER JR., READING CLERK OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, UPON THE OCCASION OF HIS RETIREMENT, AND TO EXPRESS PROFOUND GRATITUDE FOR HIS DECADES OF DISTINGUISHED SERVICE TO THE GENERAL ASSEMBLY AND THE PEOPLE OF SOUTH CAROLINA.

Whereas, the members of the South Carolina House of Representatives take pleasure in recognizing and honoring the Honorable James Lewis Mann "Bubba" Cromer Jr., upon the occasion of his retirement as Reading Clerk of the House, in recognition of his distinguished service to the General Assembly and the people of South Carolina; and

Whereas, a native of Columbia, Mr. Cromer is a graduate of Dreher High

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School, Clemson University, and the University of South Carolina School of Law and is licensed to practice law in South Carolina, California, and the District of Columbia. Although he enjoys dual citizenship as a graduate of Clemson and USC, his blood unquestionably runneth orange; and

Whereas, the first person elected to the House of Representatives as an Independent, Mr. Cromer served in this body with distinction, representing District 80, from 1991 to 1998. His service exemplified thoughtful judgment, principled decision-making, and a commitment to representing his constituents with integrity. Following his legislative service, he was elected Reading Clerk of the House of Representatives in 1998, a position he has held with exceptional dedication for more than a quarter century, becoming an indispensable presence within the chamber; and

Whereas, Mr. Cromer is a man of deep faith who lives out the values of compassion, service, and humility, devoting countless hours to helping those in need. He founded Candyman Homeless Outreach providing clothing, toiletries, and other necessities to shelterless men, women, and children, and is frequently accompanied by his beloved dog, Queen Boudicca, in his outreach ministry; and

Whereas, a man of many talents, Mr. Cromer is both a published novelist and an award-winning filmmaker, accomplishments that reflect his creativity, intellect, and passion for storytelling; and

Whereas, widely admired for his empathy, warmth, and generosity, Mr. Cromer brings energy, insight, and good humor to every aspect of his work. His creativity, integrity, and engaging presence have enriched the State House for decades, and his distinctive and thoughtful reading of bills has brought clarity, precision, and enjoyment to the work of this body. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and honor the Honorable James Lewis Mann “Bubba” Cromer Jr., upon the occasion of his retirement as Reading Clerk, commend him for his outstanding contributions to the General Assembly, and extend their deepest appreciation for his many years of

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devoted service.

Be it further resolved that a copy of this resolution be presented to the Honorable James Lewis Mann “Bubba” Cromer Jr.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5625 -- Rep. G. M. Smith: A HOUSE RESOLUTION TO HONOR AND COMMEND PATRICK G. DENNIS FOR HIS VARIED, LENGTHY, AND DISTINGUISHED SERVICE TO THE HOUSE OF REPRESENTATIVES, AND WISH HIM MUCH CONTINUED SUCCESS.

Whereas, Patrick G. Dennis quietly concluded his distinguished service to the South Carolina House of Representatives on September 27, 2024, marking more than twenty years of faithful, diligent, and highly respected service; and

Whereas, Patrick Dennis began his tenure with the House Judiciary Committee as a law clerk, quickly earning the respect of members and staff for his sound judgment and mastery of the law and legislative process. He rose to serve as chief counsel to the committee, where he demonstrated particular expertise in the complex field of redistricting, and he also provided valued legal guidance to the House Ethics Committee and the Judicial Merit Selection Commission; and

Whereas, following a brief tenure in the private sector, Patrick Dennis was elected Clerk of the South Carolina House of Representatives, where he served with distinction and upheld the traditions and procedural integrity of the body. He then transitioned to the Speaker’s Office, serving under Speaker Jay Lucas and Speaker Murrell Smith in positions of significant responsibility and trust; and

Whereas, in the Speaker’s Office, Patrick Dennis fulfilled the dual responsibilities of chief of staff and general counsel with exceptional skill, sound counsel, and steady leadership during times of both routine governance and significant challenge. His tenure was marked by legal acumen, institutional knowledge, and a deep respect for the House and

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dedication to its members and staff; and

Whereas, he presently serves as Senior Vice President of Government Affairs for Prisma Health, where he applies his talents to advance the important work of that nonprofit healthcare system; and

Whereas, behind his many professional accomplishments stands the enduring support of his family, including his wife, Michelle Dennis, and their daughter, Anna Margaret, whose encouragement and steadfast presence have been integral to his success; and

Whereas, the members of the House of Representatives recognize that Patrick Dennis's legacy is one of integrity, loyalty, and distinguished service, and they express their sincere gratitude for his contributions to this body and to the State of South Carolina. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, honor and commend Patrick G. Dennis for his varied, lengthy, and distinguished service to the House of Representatives, and wish him much continued success.

Be it further resolved that a copy of this resolution be presented to Patrick G. Dennis.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5626 -- Reprs. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson,

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Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE ELIZABETH SPENCER WETMORE OF CHARLESTON COUNTY FOR HER DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HER CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Spencer Wetmore will depart from the House of Representatives at the conclusion of her current term; and

Whereas, born on April 22, 1983, in Charleston, Spencer is the daughter of Kell Brunson Compton and Melinda Lucka Kelley. She graduated from Princeton University with an artium baccalaureus in 2005 and in 2010, she earned a Juris Doctor degree from the Vanderbilt University School of Law; and

Whereas, she served as the assistant solicitor in Charleston County from 2010 to 2014 and the city administrator of Folly Beach from 2014 to 2020. She also served as a member of the Tourism Expenditure Review Committee from 2018 to 2020; and

Whereas, Spencer married her beloved husband Burns Malone Wetmore on May 3, 2014, and together they are rearing two beautiful daughters, Brooks and Lola Kate. When away from her duties in the House of Representatives, she lives with her family in Folly Beach and serves as an attorney at Wetmore Law Firm; and

Whereas, Representative Wetmore has faithfully served the citizens of Charleston County's District 115 in the House of Representatives since winning a special election on August 11, 2020. In the House, she served on the Judiciary Committee and Rules Committee; and

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Whereas, the members of the House of Representatives will miss the keen and impassioned service that Spencer Wetmore, their friend and colleague, has given to the House of Representatives, and hope that she will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Elizabeth Spencer Wetmore of Charleston County for her dedicated service in the House of Representatives on behalf of her constituents and the citizens of South Carolina and wish her much success and happiness in all her future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Elizabeth Spencer Wetmore.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5627 -- Reps. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE BILL TAYLOR OF AIKEN COUNTY FOR HIS

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DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Representative Bill Taylor will depart from the House of Representatives at the conclusion of his current term; and

Whereas, born in Aurora, Illinois, on July 16, 1946, he is the son of the late Harold Taylor and the late Pearl Taylor, and he studied journalism at Bradley University in Peoria, Illinois; and

Whereas, he founded and served as CEO of media research and consulting firms based in Dallas, Los Angeles, and London from 1978 through 2007; and

Whereas, from 1965 to 1976, Representative Taylor served as a television news director, news anchor, and reporter, and he served as a television news consultant from 1976 to 2007. In 1974, he served his profession as president of the Illinois News Broadcasters Association; and

Whereas, Representative Taylor received an Honorary Doctorate of Humane Letters in 2024 from South Carolina State University. He was honored to be named a Fifth Estater in *Broadcast and Cable* magazine in 1998 and a Champion of Free Enterprise by the South Carolina BIPEC in 2012. He also was honored five times with a Business Advocate Award from the South Carolina Chamber of Commerce. He received Abate's Community Leader Award in 2019; and

Whereas, together with his beloved wife of fifty-five years, Donna, he reared two fine children, Kasey Taylor Lenz and William Ryan Taylor; and

Whereas, since 2011, Representative Taylor has served in the House of Representatives, representing the citizens of Aiken and Lexington counties in District 86. When away from his duties in the House, he has served on the advisory board of the Aiken Salvation Army since 2013 and on the Aiken Symphony Orchestra board since 2016; and

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Whereas, a faithful member of member of Millbrook Baptist Church in Aiken, he is 32nd Degree Mason and a Shriner. He served on the board of the Aiken County Chapter of the American Red Cross from 2007 to 2016 and as its chairman from 2009 to 2010 and as a member of the Rotary Club of Aiken from 2009 to 2020. He has served as a delegate to the National Federalism Commission since 2023; and

Whereas, the retired media consultant dutifully served the citizens of District 86 in the House as a member of the Ways and Means Committee and on the Regulations, Administrative, Procedures, Artificial Intelligence and Cybersecurity Committee. He also served as the Majority Caucus Whip from 2013 to 2016; and

Whereas, the members of the House of Representatives will miss the keen and impassioned service that Bill Taylor, their friend and colleague, has given to the House of Representatives, and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Bill Taylor of Aiken County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Bill Taylor.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5628 -- Reps. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath,

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Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE MARVIN "MARK" SMITH OF BERKELEY COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Representative Mark Smith will depart from the House of Representatives at the conclusion of his current term; and

Whereas, he has faithfully served the citizens of District 99 in the House of Representatives since 2020, most recently serving on the Labor, Commerce and Industry Committee and the Government Efficiency and Legislative Oversight Committee. Prior committee assignments included the Education and Public Works Committee, the Regulations and Administrative Procedures Committee, and the Medical, Military, Public and Municipal Affairs Committee; and

Whereas, he has served his party with distinction as the president of the Daniel Island Republican Club and the former president of the East Cooper Republican Club. In 2013, he served as a town councilman in Mount Pleasant, and in 2015 he graduated from the South Carolina Municipal Elected Officials Institute; and

Whereas, born on June 18, 1970, in Bamberg, Mark Smith is the son of the late Randy Smith and Linda Bunch Duffie. He graduated from Fayetteville Technical College with an associate of arts degree in 1993;

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and

Whereas, he married his beloved wife, Elayne Forastiere, on October 24, 1993, and together they have three wonderful sons, Parker, Avery, and Domenic. When away from his duties in the House of Representatives he serves as the President and CEO of McAlister-Smith Funeral & Cremation; and

Whereas, deeply involved in his community, he is a member of the Daniel Island Rotary Club and has served as the chairman of the Roper St. Francis Mount Pleasant Hospital Board since 2020. He also is a former president of the Rotary Club of Charleston, a former chairman of the Low Country Food Bank, the South Carolina Aging in Place Council, and the Cremation Association of North America, a former vice chancellor of the South Carolina Alzheimer's Association, and a former chairman of the South Carolina Advisory Committee on Aging; and

Whereas, a faithful member of St. Clare of Assisi Catholic Church on Daniel Island, he was a volunteer participant installing water systems in both Ecuador and Peru with Water Mission International; and

Whereas, the members of the House of Representatives will miss the keen and impassioned service that Mark Smith, their friend and colleague, has given to the House of Representatives, and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Marvin "Mark" Smith of Berkeley County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Marvin "Mark" Smith.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5629 -- Reprs. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO COMMEND THE HONORABLE DONALD RYAN MCCABE JR. FOR HIS SIX YEARS OF COMMITTED SERVICE TO THE CITIZENS OF HOUSE DISTRICT 96 IN LEXINGTON COUNTY AND TO WISH HIM SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Whereas, for six years and with great integrity, the Honorable Donald Ryan McCabe Jr. has represented the citizens of Lexington County's District 96 in the House of Representatives of this great State; and

Whereas, a resident of Lexington, Ryan was born the son of Donald Ryan McCabe Sr. and Cheryl Tisdale Gamble in Columbia; and
Whereas, in initial preparation for his life's work, the young Ryan earned his bachelor's degree at Newberry College in 1995, followed by his J.D. from North Carolina's Campbell University School of Law in 1999. Along the way, he served as a law clerk for James C. Williams Jr., resident judge of the First Judicial Circuit; and

Whereas, before being elected to guard the faith, families, and freedom of his fellow citizens, Ryan began his career as an attorney. Today, as part of McCabe, Trotter & Beverly, he has a varied practice serving as

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general counsel to many community organizations and businesses and handling trust and estate planning, probate, and elder law matters for clients; and

Whereas, prior to his career as an attorney, Ryan was a trade contractor. He worked in the EIFS (USG system certified), stucco, plaster, drywall, and acoustical ceiling industries. He holds a South Carolina Residential Specialty Contractors License; and

Whereas, in 2020, Ryan McCabe was elected to the South Carolina House of Representatives, where he has proven his value as a member of various committees, most recently the Judiciary Committee. Previously, he served on the Agriculture, Natural Resources, and Environmental Affairs Committee; Regulations and Administrative Procedures Committee; Medical, Military, Public, and Municipal Affairs Committee; and House Rules Committee. Moreover, he is a member of the South Carolina Freedom Caucus; and

Whereas, in the firm support of his family, Russell finds strength to carry out his duties. He and his lovely wife, Jennifer, are the proud parents of five children, Betsy Grace, Scarlett, Andrew, Juliana, and Luke. The whole family enjoys spending time camping, fishing, and hunting together; and

Whereas, Ryan McCabe's colleagues in the House of Representatives, understanding that he will not seek re-election, thank him for his dedicated service to the people of District 96 and extend heartiest wishes for all the best life has to offer in the coming years. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend the Honorable Donald Ryan McCabe Jr. for his six years of committed service to the citizens of House District 96 in Lexington County and wish him success and fulfillment in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Donald Ryan McCabe Jr.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5630 -- Reps. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE JERMAINE L. JOHNSON SR. OF RICHLAND COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina House of Representatives learned with sincere regret that Jermaine Johnson will depart the House of Representatives at the conclusion of his current term; and

Whereas, born in Los Angeles, California, on July 4, 1985, he is the son of Joe and Cynthia Johnson. A Clyburn Fellow, he earned a bachelor's degree from the College of Charleston in 2008, a master's degree from Strayer University in 2014, and a doctorate in business management from Northcentral University in 2018; and

Whereas, he married his beloved wife, Dr. Evan P. Johnson, in 2012, and together they are rearing three fine children: Jermaine Jr., Khloe, and

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Kobe. When away from his duties in the House of Representatives, he lives with his family in Hopkins, serves as an adjunct professor at Webster University, and is the owner of DT Consulting Firm LLC; and

Whereas, a faithful member of St. John Baptist Church in Hopkins, Representative Johnson is a member of Phi Beta Sigma Fraternity, Inc., and of Capital City Masonic Lodge #47; and

Whereas, deeply involved in his community, he served on the Richland County Recreation Commission from 2016 to 2020 and is a member of the Lower Richland Branch of the NAACP; and

Whereas, Representative Johnson served his party with distinction as third vice chair of the Richland County Democratic Party from 2018 to 2020, and he is a member of the Young Democrats of South Carolina; and

Whereas, he has faithfully served the citizens of District 52 in Richland and Kershaw counties in the House of Representatives since 2021, most recently during that time he served on the Labor, Commerce and Industry Committee; and

Whereas, in all of his service, he has provided thoughtful insight to his colleagues and genuine concern for his constituents; and

Whereas, the members of the House of Representatives will miss the keen and impassioned service that Jermaine Johnson, our friend and colleague, has given to the House of Representatives, and hope that he will enjoy deep fulfillment in the years to come. Now, therefore, Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable Jermaine L. Johnson Sr. of Richland County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Jermaine L. Johnson Sr.

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The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5631 -- Reprs. G. M. Smith, Pope, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE DAVID R. "DAVEY" HIOTT UPON THE OCCASION OF HIS DEPARTURE FROM THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, TO CONGRATULATE HIM FOR HIS TWENTY-TWO YEARS OF DISTINGUISHED SERVICE TO THIS BODY, AND TO WISH HIM ALL THE BEST IN THE YEARS TO COME.

Whereas, with great integrity, the Honorable David R. "Davey" Hiott has represented the citizens of House District 4 in Pickens County for twenty-two years; and

Whereas, Davey Hiott is a lifelong resident of Pickens County, born in Easley on October 20, 1960. He has deep roots in the area, having served as a deacon at Pickens First Baptist Church and as owner of the Hiott Printing Company in Pickens, where he resides. Further, he serves his community as a member of the Rotary Club and has served in the past as a member of the Pickens County YMCA Board of Directors; and

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Whereas, born the son of the late Gary Jr. and Eloise Hiott, Davey Hiott is a graduate of Central Wesleyan College, where he earned his bachelor's degree in 1983; and

Whereas, during his legislative tenure, Representative Hiott has served in the House of Representatives from 2005 to the present. He counts serving the people of District 4 as the honor of a lifetime and considers protecting the unborn and strengthening Second Amendment rights as among his most important achievements. As Majority Leader and as a member of various committees, most recently the Rules Committee and Ways and Means Committee, he has lent his expertise to this body to the betterment of many; and

Whereas, in recognition of his committed service, Davey Hiott has received several prestigious honors and awards, including Family Champion (Palmetto Family Council, 2024), Business Advocate Award (South Carolina Chamber of Commerce, 2020), and Business Advocate Award (South Carolina Chamber of Commerce, 2015); and

Whereas, a man dedicated to his family, Representative Hiott wed his lovely wife, the former Lisa Clamp, nearly forty years ago, and the two were blessed with two children, Lander Douglas and Salley Elizabeth; and

Whereas, Representative Hiott's colleagues in the House are grateful for his tireless labors on behalf of the citizens of House District 4 and the entire State of South Carolina. The members extend their best wishes for much success and fulfillment in the years ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the Honorable David R. "Davey" Hiott upon the occasion of his departure from the South Carolina House of Representatives, congratulate him for his twenty-two years of distinguished service to this body, and wish him all the best in the years to come.

Be it further resolved that a copy of this resolution be presented to the Honorable David R. "Davey" Hiott.

THURSDAY, APRIL 30, 2026

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5632 -- Reprs. W. Newton, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Neese, B. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR JENNIFER DOBSON, FORMER CHIEF LEGAL COUNSEL FOR THE HOUSE JUDICIARY COMMITTEE, ON THE OCCASION OF HER RECENT RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HER TWENTY-SEVEN YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

Whereas, beginning in October 1998, the State of South Carolina enjoyed the benefit of the dedication, experience, and leadership of Jennifer Dobson, chief legal counsel for the House Judiciary Committee, who on October 1, 2025, retired after twenty-seven years of outstanding public service; and

Whereas, throughout her distinguished career in public service, Jennifer Dobson demonstrated unwavering dedication to the State of South Carolina and to the principles of effective, accountable government. Her tenure reflected a breadth of legal, policy, and leadership experience across multiple roles, including service as assistant solicitor for the Tenth

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Judicial Circuit, attorney for the Spartanburg County Department of Social Services, law clerk for the South Carolina Retirement Systems, legal counsel to the House Office of Research and Constituent Services, director of the House Legislative Oversight Committee, and, most recently, chief legal counsel to the House Judiciary Committee; and

Whereas, Jennifer Dobson's commitment to excellence is reflected in her academic achievements. In preparation for her career, she graduated summa cum laude from Erskine College and earned her law degree from the University of South Carolina Joseph F. Rice School of Law; and

Whereas, as the inaugural director of the House Legislative Oversight Committee, she played a foundational role in building the committee from its inception. Under her leadership, the committee achieved national recognition for its impact, including measurable public policy improvements, enhanced governmental program performance, and significant cost savings to the State; and

Whereas, beyond her formal roles, Ms. Dobson consistently extended her service to members of the General Assembly and their constituents, assisting with county legislative delegation matters and helping citizens navigate complex governmental systems. Her efforts ensured improved communication, timely responses, and the accurate resolution of issues across a wide range of state services; and

Whereas, this forward-thinking professional was a strong proponent of innovation within the committee, pioneering the use of electronic dashboards to enhance internal tracking of oversight studies, improve staff workflow and performance management, and provide committee members with timely, organized information to support oversight activities and decision making; and

Whereas, known for her exceptional work ethic and versatility, Ms. Dobson contributed across all facets of legislative operations, from legal research and speechwriting to drafting agency reports, staffing committee meetings, and connecting members and staff with critical resources. Her high performance earned her the respect and admiration of colleagues throughout state government; and

Whereas, also widely regarded as an exceptional leader, Ms. Dobson is respected for her character, integrity, and steadfast sense of purpose. Her

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leadership, grounded in her Christian faith, has been reflected in her enduring commitment to the principles of the South Carolina House and her service to the people of this State. As a result, Jennifer Dobson has left a lasting impact on our state government's legislative branch and has helped strengthen its effectiveness, transparency, and accountability; and

Whereas, grateful for the legacy of consistent commitment and excellence Jennifer Dobson has bestowed on this great State, the House is pleased to wish her well as she continues to enjoy retirement and trusts she will find much pleasure in the more leisurely pace of the days ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, honor Jennifer Dobson, former chief legal counsel for the House Judiciary Committee, on the occasion of her recent retirement, extend deep appreciation for her twenty-seven years of distinguished public service to the State of South Carolina, and offer best wishes for a satisfying and rewarding retirement.

Be it further resolved that a copy of this resolution be presented to Jennifer Dobson.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5633 -- Reps. Govan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. Mitchell, Montgomery, J. Moore, T. Moore,

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Morgan, Moss, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MARION (MORRIS) ANDERSON OF ST. MATTHEWS FOR HIS MANY YEARS OF SERVICE TO THE PEOPLE OF CALHOUN COUNTY, MOST PARTICULARLY THE CITIZENS OF ST. MATTHEWS, AND TO EXTEND BEST WISHES FOR MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5634 -- Rep. McDaniel: A HOUSE RESOLUTION TO CONGRATULATE EUNICE GILBERT OF FAIRFIELD COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5635 -- Rep. McDaniel: A HOUSE RESOLUTION TO HONOR AND CELEBRATE ALFRED HOLLIS OF FAIRFIELD COUNTY FOR ALL HIS ACCOMPLISHMENTS ON THE OCCASION OF HIS 100TH BIRTHDAY AND TO DECLARE SATURDAY, APRIL 25, 2026, "ALFRED HOLLIS DAY."

The Resolution was adopted.

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INTRODUCTION OF BILLS

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 5636 -- Reps. Frank, Magnuson, Pace, Gilreath and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO LIABILITY OF TORTFEASORS, SO AS TO REMOVE THE PROVISION THAT EXCLUDED CAUSES OF ACTION INVOLVING ASBESTOS FROM THE LIST OF NONDEFENDANT TORTFEASORS WHO SHALL NOT BE ADDED TO VERDICT FORMS.

Referred to Committee on Judiciary

H. 5637 -- Rep. Jordan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-8-110, RELATING TO CARE AND MAINTENANCE TRUST FUNDS FOR PERPETUAL CARE CEMETERIES, SO AS TO AUTHORIZE A TOTAL RETURN UNITRUST METHOD OF DISTRIBUTION AND TO ESTABLISH GRADUATED MINIMUM DISTRIBUTION PERCENTAGES BASED ON THE FAIR MARKET VALUE OF THE TRUST FUND.

Referred to Committee on Labor, Commerce and Industry

H. 5638 -- Regulations, Admin. Proc., AI and Cybersecurity Committee: A Joint Resolution TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO DETERMINATION OF RATES OF TUITION AND FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5443, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Without Reference

H. 5639 -- Rep. Crawford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-165 SO AS TO PROVIDE THAT ON JULY 1, 2028, THE AREA OF EACH COUNTY OF THIS STATE ALSO MUST BE CONSTITUTED AS A SCHOOL DISTRICT AND A COUNTY MAY NOT HAVE MULTIPLE SCHOOL DISTRICTS WITHIN ITS BOUNDARIES, AND TO PROVIDE THAT THE GENERAL ASSEMBLY BY LOCAL LAW BEFORE JULY 1, 2028, SHALL PROVIDE FOR THE

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GOVERNANCE, FISCAL AUTHORITY, AND ADMINISTRATIVE AND OPERATIONAL RESPONSIBILITIES FOR A COUNTYWIDE SCHOOL DISTRICT WHERE NO PROVISIONS OF LAW NOW APPLY; AND PROVIDE THAT ALL ACTS OR PARTS OF ACTS RELATING TO A SCHOOL DISTRICT THAT IS NOT A COUNTYWIDE SCHOOL DISTRICT REQUIRED BY SECTION 59-17-165 ARE REPEALED AS OF JULY 1, 2028.

Referred to Committee on Education and Public Works

H. 5640 -- Reps. Garvin and Dillard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA SPEED SAFETY ACT OF 2026" BY ADDING ARTICLE 12 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE DEFINITIONS, AND TO PROVIDE CERTAIN LOCAL GOVERNMENTAL AGENCIES TO EMPLOY SPEED-SAFETY SYSTEMS; BY AMENDING SECTION 56-5-70, RELATING TO CERTAIN VEHICLE REQUIREMENTS SUSPENDED DURING STATES OF EMERGENCY, AND DECLARATIONS OF EMERGENCIES TRIGGERING FEDERAL RELIEF, SO AS TO DELETE THE PROVISION CONCERNING THE ISSUANCE OF CITATIONS FOR CERTAIN TRAFFIC VIOLATIONS; BY AMENDING SECTION 56-5-710, RELATING TO POWERS OF LOCAL AUTHORITIES, SO AS TO DELETE THE PROVISION RELATING TO THE ISSUANCE OF CERTAIN TRAFFIC CITATIONS; AND BY REPEALING SECTION 56-7-35 RELATING TO THE ISSUANCE OF UNIFORM TRAFFIC TICKETS FOR CERTAIN OFFENSES.

Referred to Committee on Education and Public Works

H. 5641 -- Reps. Jordan and Lowe: A BILL TO REPEAL ACT 989 OF 1948 RELATING TO THE CREATION OF THE FLORENCE MEMORIAL STADIUM COMMISSION.

Rep. JORDAN asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. CROMER objected.

Referred to Florence Delegation

S. 270 -- Senators Alexander, Hembree, Adams, Goldfinch, Walker, Garrett and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-29, RELATING TO ATTEMPTED MURDER, SO AS TO DEFINE ATTEMPTED

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MURDER AS COMMITTING AN UNLAWFUL ACT OF A VIOLENT NATURE THAT CAUSES INJURY TO ANOTHER WITH MALICE.

Referred to Committee on Judiciary

S. 385 -- Senators Devine, Walker, Zell, Jackson, Tedder, Garrett, Allen, Sabb, Matthews and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "WOMEN'S CHILDBIRTH ALTERNATIVES, RESOURCES, AND EDUCATION (CARE) ACT" BY ADDING ARTICLE 21, CHAPTER 13 TO TITLE 24 SO AS TO PROVIDE FOR PREGNANCY TESTING OF CERTAIN WOMEN AFTER ADMISSION TO CERTAIN INCARCERATION FACILITIES, THE SUPERVISED PREINCARCERATION PROBATION OF PREGNANT WOMEN UNDER CERTAIN CIRCUMSTANCES, THE SELF SURRENDER OF WOMEN SERVING PREINCARCERATION TERMS OF PROBATION TWELVE WEEKS AFTER THE BIRTH OF THEIR CHILDREN, CRIMINAL PENALTIES FOR FAILURE TO SURRENDER, PROCEDURES FOR WOMEN TO FOLLOW IF THEY LOSE THEIR PREGNANCIES WHILE ON PREINCARCERATION PROBATION, AND CERTAIN REPORTING REQUIREMENTS.

Referred to Committee on Judiciary

S. 436 -- Senators Grooms, Fernandez and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ADD AN EXEMPTION FOR A PORTION OF THE VALUE OF AIRCRAFT OF AN AIRLINE COMPANY; AND BY AMENDING SECTION 12-37-2440, RELATING TO THE VALUATION OF AIRCRAFT, SO AS TO SPECIFY THE MANNER IN WHICH TIME ON THE GROUND IS CALCULATED.

Referred to Committee on Ways and Means

S. 556 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR A TAX CREDIT FOR RENEWABLE NATURAL GAS.

Referred to Committee on Ways and Means

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S. 631 -- Senators Walker and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-535, RELATING TO LIMITATIONS ON PLACES OF RESIDENCE OF CERTAIN SEX OFFENDERS, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A SEX OFFENDER TO RESIDE WITHIN ONE THOUSAND FEET OF A BUS STOP; AND TO PROVIDE THAT OWNERS OR RENTERS OF IMPACTED PROPERTY NOT BE REQUIRED TO RELOCATE IF THEY OWNED OR RENTED THE PROPERTY BEFORE THE EFFECTIVE DATE OF THIS ACT.

Referred to Committee on Judiciary

S. 788 -- Senators Blackmon, Stubbs and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 40, SO AS TO PROVIDE DEFINITIONS RELATED TO ARTIFICIAL INTELLIGENCE AND THERAPY OR PSYCHOTHERAPY; TO PROVIDE THAT A LICENSED PROFESSIONAL SHALL NOT BE PERMITTED TO USE ARTIFICIAL INTELLIGENCE TO ASSIST IN PROVIDING SUPPLEMENTARY SUPPORT IN THERAPY OR PSYCHOTHERAPY WHERE THE CLIENT'S THERAPEUTIC SESSION IS RECORDED UNLESS THE PATIENT IS INFORMED THAT ARTIFICIAL INTELLIGENCE WILL BE USED AND FOR WHAT PURPOSE AND THE PATIENT CONSENTS TO THIS USE; TO PROVIDE THAT AN INDIVIDUAL, CORPORATION, OR ENTITY MAY NOT OFFER THERAPY OR PSYCHOTHERAPY SERVICES, INCLUDING THROUGH THE USE OF INTERNET-BASED ARTIFICIAL INTELLIGENCE, UNLESS THE THERAPY OR PSYCHOTHERAPY SERVICES ARE CONDUCTED BY A LICENSED PROFESSIONAL; TO PROVIDE THAT A LICENSED PROFESSIONAL MAY NOT ALLOW ARTIFICIAL INTELLIGENCE TO MAKE INDEPENDENT THERAPEUTIC DECISIONS; TO REQUIRE THAT ALL RECORDS KEPT BY A LICENSED PROFESSIONAL BE KEPT CONFIDENTIAL; TO PROVIDE EXCEPTIONS; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 869 -- Senators Climer, Peeler, Blackmon, Johnson and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 56-3-780, RELATING TO PERMANENT LICENSE PLATES AND FEES FOR VEHICLES OF THE STATE AND ITS POLITICAL SUBDIVISIONS, SO AS TO CREATE A PERMANENT LICENSE PLATE FOR TRIBAL GOVERNMENTS LOCATED IN THE STATE.

Referred to Committee on Education and Public Works

S. 872 -- Senators Goldfinch, Climer, Zell, Garrett and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80, RELATING TO AN APPLICATION FOR A DRIVER'S LICENSE OR PERMIT, SO AS TO REQUIRE APPLICANTS TO PROVIDE PROOF OF CITIZENSHIP OR LEGAL STATUS IN THE UNITED STATES, AND TO PROVIDE THAT IF THE APPLICANT IS NOT A CITIZEN, THEN THE DRIVER'S LICENSE MUST CONTAIN A "NC" DESIGNATION INDICATING THAT THE LICENSEE IS A NON-US CITIZEN; BY AMENDING SECTION 56-1-3350, RELATING TO ISSUANCE OF SPECIAL IDENTIFICATION CARDS, SO AS TO REQUIRE APPLICANTS TO PROVIDE PROOF OF CITIZENSHIP OR LEGAL STATUS IN THE UNITED STATES, AND TO PROVIDE THAT IF THE APPLICANT IS NOT A CITIZEN, THEN THE IDENTIFICATION CARD MUST CONTAIN A "NC" DESIGNATION INDICATING THAT THE HOLDER OF THE IDENTIFICATION CARD IS A NON-US CITIZEN; AND BY AMENDING SECTION 7-13-710, RELATING TO PROOF OF THE RIGHT TO VOTE, SO AS TO PROVIDE THAT A SOUTH CAROLINA DRIVER'S LICENSE OR IDENTIFICATION CARD WITH A "NC" DESIGNATION CANNOT BE USED TO VOTE.

Referred to Committee on Education and Public Works

S. 904 -- Senators Young, Campsen, Stubbs, Graham and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16510 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL MOTOR VEHICLE PLATES TO MEMBERS OF THE "QUAIL FOREVER" ORGANIZATION.

Referred to Committee on Education and Public Works

S. 933 -- Senators Martin, Corbin, Williams, Jackson, Leber, Hutto, Devine, Graham, Zell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-3-20,

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RELATING TO COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY SHALL RECEIVE LEGISLATIVE COMPENSATION AND AN IN-DISTRICT LEGISLATIVE SERVICE ALLOWANCE OF FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS, AND TO PROVIDE THAT THE MEMBERS' SALARY SHALL BE ADJUSTED EVERY TWO YEARS BY AN INFLATION FACTOR NOT TO EXCEED FIVE PERCENT; AND BY AMENDING SECTION 9-9-10, RELATING TO DEFINITIONS CONCERNING THE GENERAL ASSEMBLY RETIREMENT SYSTEM, SO AS TO PROVIDE THAT EARNABLE COMPENSATION FOR THE PURPOSES OF CALCULATING BENEFITS IS LIMITED TO ONLY THE MEMBERS' SALARY AS PROVIDED BY LAW.

Referred to Committee on Ways and Means

S. 1005 -- Senators Elliott, Stubbs, Walker, Blackmon and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-1-200, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, SO AS TO PROVIDE A REVISED SALARY SCHEDULE FOR JUDGES.

Referred to Committee on Ways and Means

S. 1119 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16610 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE BLACKOUT SPECIAL LICENSE PLATES.

Referred to Committee on Education and Public Works

Rep. B. NEWTON moved that the House do now adjourn.

Rep. MAGNUSON demanded the yeas and nays which were taken, resulting as follows:

Yeas 54; Nays 26

Those who voted in the affirmative are:

| | | |
|-----------|----------|------------|
| Alexander | Anderson | Ballentine |
| Bamberg | Bowers | Brewer |

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|-------------|-------------|-------------|
| Brittain | Burns | Bustos |
| Calhoon | Caskey | Clyburn |
| Cobb-Hunter | Collins | Cox |
| Davis | Dillard | Forrest |
| Gagnon | Garvin | Gatch |
| Gilliard | Govan | Grant |
| Guest | Haddon | Hager |
| Hardee | Hewitt | Hiott |
| Holman | Hosey | Jones |
| Kirby | Lawson | Ligon |
| Luck | McDaniel | McGinnis |
| T. Moore | Neese | B. Newton |
| Rivers | Robbins | Sanders |
| Schuessler | Scott | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Wetmore | Whitmire | Wickensimer |

Total--54

Those who voted in the negative are:

| | | |
|-------------|-------------|-----------|
| Beach | Chapman | Cromer |
| Duncan | Edgerton | Ford |
| Frank | Gilreath | Hartnett |
| Huff | Kilmartin | Lastinger |
| Long | Magnuson | McCabe |
| C. Mitchell | D. Mitchell | Morgan |
| Moss | Pace | Rankin |
| Reese | Terrible | White |
| Wooten | Yow | |

Total--26

So, the motion to adjourn was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 5519 -- Reps. C. Mitchell, G. M. Smith and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY CHURCH ROAD BETWEEN STEPHEN CAMPBELL ROAD AND

[HJ]

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LARRY JEFFERS ROAD IN THE TOWN OF ELGIN IN KERSHAW COUNTY "JEANNIE ROSE POTTER ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

ADJOURNMENT

At 12:54 p.m. the House, in accordance with the motion of Rep. CASKEY, adjourned in memory of Darrell Hanshaw, to meet at 10:00 a.m. tomorrow.

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| H. 3924 | 3, 4, 83 | S. 11 | 22 |
| H. 4043 | 118 | S. 52 | 35 |
| H. 4112 | 118 | S. 52 | 35 |
| H. 4382 | 125 | S. 52 | 88 |
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| H. 5122 | 15, 22, 31, 33 | S. 163 | 21, 30, 85 |
| H. 5126 | 119 | S. 196 | 19, 28, 84 |
| H. 5129 | 130 | S. 238 | 4 |
| H. 5216 | 125 | S. 270 | 153 |
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| H. 5483 | 15 | S. 337 | 2 |
| H. 5488 | 22, 26, 119 | S. 357 | 117 |
| H. 5504 | 128 | S. 385 | 154 |
| H. 5519 | 158 | S. 436 | 154 |
| H. 5543 | 130 | S. 439 | 34, 87 |
| H. 5573 | 15, 17 | S. 477 | 3 |
| H. 5586 | 130 | S. 508 | 117 |
| H. 5618 | 8 | S. 556 | 154 |
| H. 5619 | 9 | S. 582 | 117 |
| H. 5620 | 9 | S. 619 | 7 |
| H. 5621 | 10 | S. 631 | 155 |
| H. 5622 | 11 | S. 697 | 20, 29, 84 |
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| H. 5624 | 132 | S. 718 | 17 |
| H. 5625 | 134 | S. 769 | 5 |
| H. 5626 | 135 | S. 780 | 7 |
| H. 5627 | 137 | S. 787 | 7 |
| H. 5628 | 139 | S. 788 | 155 |
| H. 5629 | 142 | S. 830 | 7 |
| H. 5630 | 144 | S. 831 | 120 |
| H. 5631 | 146 | S. 851 | 19, 28, 83 |
| H. 5632 | 148 | S. 853 | 33, 86 |
| H. 5633 | 150 | S. 857 | 6 |
| H. 5634 | 151 | S. 863 | 34, 87 |
| H. 5635 | 151 | S. 866 | 6 |
| H. 5636 | 152 | S. 869 | 155 |
| H. 5637 | 152 | S. 872 | 156 |
| H. 5638 | 152 | S. 893 | 5 |
| H. 5639 | 152 | S. 904 | 156 |

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